

Hetcher

P L A T O
REDIVIVUS:
O R, A
D I A L O G U E
C O N C E R N I N G
G o v e r n m e n t,

Wherein, by Observations drawn
from other KINGDOMS and
STATES both Ancient and Mo-
dern, an Endeavour is used to
discover the present POLITICK
DISTEMPER of our OWN,
with the CAUSES, and RE-
MEDIES.

*Non Ego sum Vates, sed Prisci conscius ævi.
Pluribus exemplis hæc tibi Mystra Cano.
Res nolunt male administrari.*

L O N D O N,
Printed for S. I. in the Year
M D C L X X X I.

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THE
PUBLISHER
TO THE
READER.

Courteous Reader,

ALL the Account I can give thee of this Piece is; that about the middle of October last it was sent to me, accompanied with a Letter without a Name, and written in a Hand altogether unknown to me, though different from the Character of the Dialogue it self, and the Argument. The Letter was very short; and contained only, that the Writer having the fortune to meet with this Discourse (of which he

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denied to be the Author) he thought it very fit to be sent to me, to the end, if I thought it could be of any advantage to me, and no prejudice, I might publish it if I pleased, and make my best of it. When I had opened it, and perceived that it treated of Government, and of the present Times; I supposing it to be something of the nature of those Scurrulous Libels which the Press spawns every day, was extremely displeased with my Servant, for receiving in my absence, and in these dangerous days, such a Pacquet, without taking any account or notice of the Messenger who brought it: till he, to appease me, assured me, that the Bearer did look like a Gentleman, and had a very unsuitable Garb to a Trapan; and that he did believe he had seen him often at my Shop, and that I knew him well. When I had
begun

to the Reader.

begun to read it, and found no harm, I was resolved to peruse it in the Company of a Gentleman, a worthy Friend of mine; who, to his exact Skill and Learning in the Laws of his Country, hath added a very profound Knowledge in all other Literature; and particularly, the excellence of Platonick Philosophy. When we had joyntly gone through it, he was clearly of Opinion, That although some might be angry with certain passages in it, yet the Discourse reflecting upon no particular Person, was very incapable of bringing me into any danger for publishing it; either from the State, or from any private Man. When I had secured myself against *Damnum Emergens*, we went about the Consideration of the other part of the distinction of the Schools, which is *Lucrum cessans*,

begun

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and

The Publisher

And I made some Objections against the probability of vending this Dialogue to Profit; which, in things of my Trade, is always my design, as it ought to be. My first Fear in that behalf was, that this Author would disgust the Reader, in being too confident and positive in matters of so high a Speculation. My Friend replied, that the Assurance he shewed was void of all Sawciness, and expressed with great Modesty; and that he verily believed that he meant very faithfully and sincerely towards the Interest of England. My next doubt was, that a considerable part of this Treatise being a Repetition of a great many Principles and Positions out of Occana, the Author would be discredited for borrowing from another, and the Sale of the Book hindred. To that my Friend made answer, that
before

to the Reader.

before ever Octana came out, there
were very many Treatises and Pam-
phlets, which alledged the Political
Principle, That Empire was found-
ed in Property, and discoursed ra-
tionally upon it: Amongst the rest,
one entituled A Letter from an Offi-
cer in Ireland, to His Highness
the Lord Protector, (which he then
shewed me) printed in 1653. as I
remember; which was more than
three Years before Octana was writ-
ten: and yet, said he, no Man will
truer that the Learned Gentleman
who writ that Book had stolen from
that Pamphlet. For whosoever sets
himself to study Politicks, must do it
by reading History, and observing in
it the several Turns and Revolutions
of Government: and then the Cause
of such Change will be so visible and
obvious, that we need not impute
erased Theft

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Theft to any Man that finds it out, it being as lawful, and as easie for any Person, as well as for the Author of Occana, or that Pamphlet, to read Thucidides, Polybius, Livy, or Plutarch: and if he do so with attentiveness, he shall be sure to find the same things there that they have found. And if this were not Lawful, when that any one Person has written in any Science, no Man must write after him: for in Polity, the Orders of Government; in Architecture, the several Orders of Pillars, Arches, Architraves, Cornishes, &c. In Physick, the Causes, Prognosticks and Crisis of Diseases, are so exactly the same in all Writers, that we may as well accuse all subsequent Authors to have been but Plagiaries of the Antecedent. Besides this, the Learned Gentle-

to the Reader.

Gentleman added, that *Occana* was written (it being thought Lawful so to do in those times) to evince out of these Principles, that England was not capable of any other Government than a Democracy. And this Author out of the same Maxims, or Aphorisms of Politicks, endeavours to prove that they may be applied naturally and fitly, to the redressing and supporting one of the best Monarchies in the World, which is that of England. I had but one Doubt more, and that was an Objection against the Title, which I resolved at the first not to mention, because I could salve it by altering the Title Page. But since I had opportunity, I acquainted the Gentleman with it: And it was, That certainly no Man would ever buy a Book that had in

Front

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Front of it so insolent and presumptuous a Motto as Plato Redivivus; for that he must needs be thought not only vain in the highest degree, but void of Sense and Judgment too, who compares himself with Plato, the greatest Philosopher, the greatest Politician (I had almost said the greatest Divine too) that ever lived. My Counsellor told me that he had as great a resentment of any Injury done to Plato as I, or any Man could have. But that he was hard to believe that this Man intended to compare himself to Plato, either in Natural Parts or Learning; but only to shew that he did imitate his way of Writing, as to the manner of it; (though not the matter) as he hath done exactly. For Plato ever

to the Reader.

writ these high Matters in easie and familiar Dialogues, and made the great Philosophers, and learned men of that Age; as Simias, Cebes, Timæus, Gallias, Phædon, &c. yea, and Socrates himself, the Interlocutors, although they never heard any thing of it till the Book came out. And although talking of State Affairs in a Monarchy must needs be more offensive than it was in the Democracy where Plato lived. And therefore our Author has forbore the naming the Persons who constitute this Dialogue; yet he does make a pretty near Representation and Character of some Persons, who, I dare swear never heard of this Discourse, nor of the Author's Design. This convinced me, and made me suffer the Title to pass. So that I have nothing more to say to thee, Courteous Reader, but to desire thee

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thee to pardon the Faults in Printing, and also the plainness and easiness of the Style, and some Tautologies: which latter I could easily have mended, but that I thought the Author did not let them pass out of neglect, but design: and intended that both they, and the familiarity of the words and expressions, suited better with his purpose of disposing this matter to be treated in ordinary Conversation amongst private Friends, than full Periods and starch'd Language would have done; which might have been Impropriety. The next Request I have to thee is, that if thou dost believe this Discourse to be a very foolish one, as it may be for ought I know (for I am no fit Judge of such matters) that thou wilt yet vouchsafe to suspend thy Censure of it for a while, till the whole Impression is vended: that so, although
neither

to the Reader.

neither the Publick nor thy self may ever reap any Benefit or Profit by it, I may be yet so fortunate by thy favour as to do it. Which will make me study thy Content hereafter in something better; and in the mean time remain,

Thy Friend and Servant.

ERRATA.

P. Ag. 5. lin. 11. read *I do*, p. 6. l. 2. r. *this went*, p. 52. l. 12. r. *and before that the Land-Army of Darius*, p. 68. l. 8. r. *ripiglior*, p. 69. l. 16. r. *Polisies*, p. 76. l. 12. r. *Uruscopory*, p. 78. l. 21. r. *I have read many*, p. 80. l. 14. r. *rigorous*, p. 82. l. 3. *dele more*, p. 85. l. 7. r. *the remoteness of*, p. 89. l. 12. r. *preserve*, p. 94. l. 24. r. *Allo-*
diali, p. 95. l. 10. r. *Land*, p. 96. l. 25. r. *I suppose*, p. 99. l. 9. r. *in-*
tervened, p. 124. l. 9. *for His Majesty*, r. *any King*, p. 128. l. 7. r.
manner and form, p. 150. l. 15. r. *Alcaval*, p. 162. l. 5. r. *Agree-*
ment in Parliament, p. 184. l. 21. r. *rigorous*, p. 189. l. 2. r. *the*
People, p. 206. l. 12. r. *So that as*, p. 215. l. 26. r. *his Word*, p. 217.
l. 24. r. *a*, p. 223. l. 12. r. *States*, p. 224. l. ult. *for Family*, r. *San*,
p. 226. l. 20. r. *Demagogues*, p. 230. l. 24. *dele but*, p. 232. l. 4.
r. *Devoirs*, p. 237. l. 21. r. *Powers*, p. 245. l. 7. *for Purser*, r. *Persons*

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THE UNIVERSITY OF CHICAGO

SECRET

The following is a list of the names of the persons who have been appointed to the various offices of the County of Los Angeles, California, for the year 1900, as provided for by the Act of the Legislature of the State of California, approved March 1st, 1899, and amended March 1st, 1900.

The Argument.

A Noble Venetian, not one of the young Fry, but a grave sober person, who had born Office and Magistracy in his own Common-Wealth, having been some years since in France with a near Relation of his who was Ambassadour at that Court, and finding himself out of Employment, resolved to divert himself by visiting some part of the World which he had never seen; and so passing through Germany, Flanders, and Holland, arrived in England about the beginning of May last, bringing Letters of recommendation to several English Gentlemen, who had been Travellers, and made Friendship in his Country. A Custom usually practised amongst such who travel into any part where they have no habitude or acquaintance. Amongst the rest, he was addressed to one of the Gentlemen who acts a part in this Dialogue: Who after he had waited upon him, and served

B

him

him for near two Months, had certain necessary occasions, which called him for some time into the Country. Where he had not been above three Weeks, before he heard, by meer accident, that the Gentleman of Venice was fallen dangerous sick of a malignant Fever. Which made him post away immediately to London, to assist and serve him in what he might. But he found him almost perfectly restored to his health by an eminent Physician of our Nation, as renowned for his Skill and Cures at home; as for his Writings both here and abroad: And who besides his profound knowledge in all Learning, as well in other Professions as his own, had particularly arriv'd to so exact and perfect a discovery of the formerly hidden parts of humane Bodies, that every one who can but understand Latin, may by his means know more of Anatomy, than either Hypocrates, or any of the Ancients or Moderns did, or do perceive. And if he had lived in the days of Solomon, that great Philosopher would never have said *Cor hominis inscrutabile*. This excellent Doctor being in the

the sick mans Chamber, when the other English Gentleman, newly alighted, came to visit him. After some Compliments and Conversation of course, they began to talk of Political Matters, as you will better understand by the Introduction, and by the Discourse it self.

THE FIRST DAY.

The Introduction.

English Gentleman.

THE sudden news I had of your sad distemper, and the danger you were in, has been the cause of a great deal of affliction to me, as well as of my present and speedy repair to London, some Weeks sooner than I intended: I must confess I received some comfort to hear at my arrival of your amendment, and do take much more now to find you up, and

as I hope recovered; which I knew would be a necessary consequence of your sending for this excellent Physician, the *Esculapius* of our Age, it being the first request I had to make to you, if by seeing him here in your Chamber I had not found it needless. For the Destiny of us *English-men* depends upon him, and we either live or dye Infallibly, according to the Judgment or good Fortune we have, when we are sick, either to call or not call him to our assistance.

Noble Venetian. I am Infinitely obliged to you, for your care of me, but am sorry it has been so inconvenient to you, as to make you leave your Affairs in the Country sooner than you proposed to your self to do: I wish I might be so fortunate in the course of my Life, as to find an opportunity of making some part of an acknowledgment, for this and all the rest of your favours, but shall pray God it may not be in the same kind; but that your health may ever be so entire, that you never need so transcendent a Charity, as I now receive from your Goodness: And as to this incomparable Doctor; although, I must confess, that
all

all the good which has happen'd to me in this Country, as well as the knowledge I have received of Persons and Things, does derive from you; yet I must make an exception, as to this one point; for if I can either read, or hear, this Gentleman's excellent Writings, and the Fame he worthily enjoys in my Country, would have made it inexcusable in me, to implore the help of any other; and do assure you, that, before I left *England*, it was in my Ambition to beg your Mediation towards the bringing me into the acquaintance and favour, of this Learned Person, even before I had any thoughts of becoming the Object of his Care and Skill, as now I am the Trophy of both.

Doctor. Well, Gentlemen, you are both too great to be Flatterers, and I too little to be flattered, and therefore I will impute this fine discourse you both make about me, to the overflowing of your Wit, and the having no Object near you to vent it upon but me. And for you, Sir, if my Art fail me not, the voiding this Mirth, is a very good sign that you are in a fair way to a perfect recovery.

And for my Country-man here : I hope whilest he has his vent, that his Hypochondriack distemper will be at quiet, and that neither his own thoughts, nor the ill posture of our Publick Affairs will make him hang himself, for at least this twelve Months : Only, Gentlemen, pray take notice, that this does not pass upon me, nor do I drink it like Milk (as the *French* phrase it) being mindful of what a grave Gentleman at *Florence* replied to a young Esquire, who answered his Compliments with, *Oh, Sir, you flatter me, i principi s'adulano i pari vostri si coglionono* ; That last word I cannot render well into *Latin*.

English Gentleman. Well, Doctor, we will not offend your Modesty : The next time we do you Justice, it shall be behind your back, since you are so severe upon us. But you may assure your self that my intention of recommending you to this Gentleman, was for his own sake, and not for yours : For you have too many Patients already, and it were much better, both for you and us, that you had but half so many : For then we should have more of your Writings, and
some

sometimes enjoy your good Conversation; which is worth our being sick on purpose for. And I am resolved to put my self sometimes into my Bed, and send for you, since you have done coming to our Coffee-House.

But to leave this Subject now, I hear you say, that this Gentleman is in a perfect way of recovery; pray is he well enough to hear, without any prejudice to his convalescence, a Reprehension I have to make him?

Doct. Yes, yes; you may say what you will to him, for your Repremands will rather divert than trouble him, and prove more a Cordial than a Corrosive.

Eng. Gent. Then, Sir, pray consider what satisfaction you can ever make me, for the hard measure you have used towards me, in letting me learn from common Fame and Fortune, the news of your Sickness, and that not till your recovery; and for depriving me of the opportunity of paying the debt I owe to your own merit, and to the recommendation of those worthy Persons in *Italy*, who did me the honour to address you to me. And this injury is much aggravated by

the splendour of your Condition, and greatness of your Fortune, which makes it impossible for me ever to hope for any other occasion to express my faithful service to you, or satisfy any part of the duty I have to be at your devotion. To be sick in a strange Country, and to distrust the sincerity and obedience of—

Noble Ven. Pray, Sir, give me leave to interrupt you, and to assure you, that it was not any distrust of your goodness to me, of which I have had sufficient experience; nor any insensibleness how much your care might advantage me; much less any scruple I had of being more in your debt; which if it had been possible for me to entertain, it must have been thought of long since, before I had received those great Obligations, which I never made any difficulty to accept of. It was not, I say, any of these Considerations, which hindred me from advertising you of my Distemper; but the Condition and Nature of it, which in a moment depriv'd me of the exercise of those Faculties which might give me a Capacity of helping my self in any thing.

But

But otherwise I assure you that no day of my Life shall pass, wherein I will not express a sense of your Favours, and——

to Doct. Pray now, Sir, permit me to interrupt you; for this Gentleman, I dare say, looks for no Compliments; but that which I have to say, is; That the desire you signified to me, to give you some account of our Affairs here, and the turbulence of our present State, will be much better placed, if you please to address it to this Gentleman, whose Parts and Studies have fitted him for such an Employment; besides his having had a great share in the managing Affairs of State here, in other times: And really no man understands the Government of *England* better than he.

Eng. Gent. Now, Doctor, I should tell you, *i pari miei si coglionono*, for so you your self have baptized this kind of Civility: But however, this is a Province that I cannot be reasonably prest to take upon me, whilst you are present, who are very well known to be as skillful in the Nature and Distemper of the Body Politick, as the whole Nati-

Nation confesses you to be in the concerns of the Natural. And you would have good store of Practice in your former Capacity, if the wise Custom amongst the ancient *Greeks* were not totally out of use. For they, when they found any craziness or indisposition in their several Governments, before it broke out into a Disease, did repair to the Physicians of State (who, from their Profession, were called the Seven Wise Men of *Greece*) and obtained from them some good *Recipes* to prevent those seeds of distemper from taking root, and destroying the publick Peace. But in our days, these Signs or Forerunners of Diseases in State are not foreseen, till the whole Mass is corrupted, and that the Patient is incurable, but by violent Remedies. And if we could have perceived the first Symptoms of our Distemper, and used good Alteratives, the curiosity of this worthy Gentleman had been spared, as also his command to you, to give him some light into our matters; and we unfortunate *English-men* had reposed in that quiet, ease, and security, which we enjoy'd three hundred years since.

since. But let us leave the contest who
 shall inform this Gentleman, lest we spend
 the time we should do it in unprofitably,
 and let each of us take his part; for if we
 speak all, it will look like a studied dis-
 course fitted for the Press, and not a fa-
 milliar Dialogue. For it ought to be in
 private Conversation, as it was origi-
 nally in the planting the Gospel, when
 there were two sorts of preaching; the
 one Concionary, which was used by the
 Apostles and other Missionaries, when
 they spoke to those who had never
 heard of the Mysteries of Christian Reli-
 gion, possibly not so much as of the Jew-
 ish Law, or the History of Christ. The
 duty of those was to hear, and not re-
 ply, or any way interrupt the harrangue:
 But when the Believers (called the
 Church) assembled together, it was the
 Custom of such of the Auditors, to
 whom any thing occurred, or (as *S. Paul*
 calls it) was revealed, to interpose and
 desire to be heard, which was called an
 Interlocutory Preaching, or Religious
 Conversation; and served very much to
 the instructing and edifying those who
 had long believed in Christ, and possibly
 knew

knew as much of him as their Pastor himself; and this is used still amongst many of our Independent Congregations.

Doct. I have (besides the reason I alledged before, and which I still insist upon) some other cause to beg that you will please to give your self the trouble of answering this Gentleman's Queries; which is, that I am very defective in my Expressions in the *Italian* Language; which though I understand perfectly; and so comprehend all that either of you deliver, yet I find not words at hand to signifie my own meaning, and am therefore necessitated to deliver my self in Latin, as you see. And I fear that our pronounciation being so different from that which is used in *Italy*, this worthy person may not so easily comprehend what I intend, and so be disappointed in the desire he hath to be perfectly instructed in our Affairs.

Noble Ven. Really, Sir, that is not all; for besides that, I confess your pronounciation of the Latin Tongue to be very new to me, and for that reason I have been forced to be troublesome to you, in making you repeat things twice, or thrice.

thrice. I say besides that your Latinity, as your Writings shew, and all the world knows, is very pure and elegant, which it is notorious to all, that we in *Italy* scarce understand; Gentlemen there never learning more Latin, than what is necessary to call for Meat and Drink, in *Germany* or *Holland*, where most of the Hosts speak a certain *Franck*, compounded of *Dutch*, *Latin*, and *Italian*. And though some of us have *Latin* enough to understand a good Author, (as you have of our Language) yet we seldom arrive to speak any better than this *Franck*, or can without study comprehend good *Latin*, when we meet with it in discourse. And therefore it is your perfection in that Tongue, and my ignorance in it, that makes me concur with you, in desiring this Gentleman, to take the pains of instructing my Curiosity in *Italian*.

Eng. Gent. I shall obey you in this, and all things else, upon this condition, that both you and the Doctor will vouchsafe to interrogate me, and by that means give me the Method of serving you in this: And then that you will both
please

please to interrupt and contradict me; when you think I say any thing amiss, or that either of you are of a different Opinion, and to give me a good occasion of explaining myself, and possibly of being convinced by you, which I shall easily confess; for I hate nothing more than to hear disputes amongst Gentlemen, and men of sense, wherein the Speakers seem (like Sophisters in a College) to dispute rather for Victory, than to discover and find out the Truth.

Doct. Well, all this I believe will be granted you; so that we have nothing to do now, but to adjourn, and name a time when to meet again. Which I, being this Gentlemans Physician, will take upon me to appoint, and it shall be tomorrow morning about nine of the Clock, after he has slept well, as I hope he will, by means of a Cordial I intend to send him immediately. In the meantime, not to weary him too much, we will take our leaves of him for this Night.

Noble Ven. I shall expect your return with great impatience, and if your Cordial be not very potent, I believe the
fire

fire of seeing you will make me wake much sooner than the hour you appoint. And I am very confident, that my mind as well as my body, will be sufficiently improved by such Visits. It begins to be darkish, Boy light your Torch, and wait on these Gentlemen down.

Both. Sir, we wish you all good rest and health.

Noble Ven. And I, with a thousand thanks, the like to you.

The SECOND DAY.

Doct. **W**ELL, Sir, how is it? Have you rested well to Night? I fear we come too early.

Noble Ven. Dear Doctor, I find myself very well, thanks to your Care and Skill, and have been up above these two hours, in expectation of the favour you and this Gentleman promise me.

Doct. Well, then pray let us leave off Compliments and Repartees, of which we had a great deal too much yesterday, and fall to our business, and be pleas'd to interrogate this Gentleman what you think fit.

Noble Ven.

Noble Ven. Then, Sir, my first request to you, is, That you will vouchsafe to acquaint me for what Reasons this Nation, which hath ever been esteemed (and very justly) one of the most considerable People of the World, and made the best Figure both in Peace, Treaties, War, and Trade, is now of so small regard, and signifies so little abroad: Pardon the freedom I take, for I assure you it is not out of disrespect, much less of contempt that I speak it: For since I arrived in *England*, I find it one of the most flourishing Kingdoms in *Europe*, full of splendid Nobility and Gentry; the comliest persons alive, Valiant, Courteous, Knowing and Bountiful; and as well stored with Commoners, Honest, Industrious, fitted for Business, Merchandise, Arts, or Arms; as their several Educations lead them. Those who apply themselves to study, prodigious for Learning, and succeeding to admiration in the perfection of all Sciences: All this makes the Riddle impossible to be solved; but by some skillfull *Sphinx*, such as you are; whose pains I will yet so far spare, as to acknowledge, that I do in that little time I have spent

spent here, perceive that the immediate cause of all this, is the Dis-union of the People and the Governours; the Discontentment of the Gentry, and Turbulency of the Commonalty; although without all Violence or Tumult, which is Miraculous. So that what I now request of you, is, That you will please to deduce particularly to me, the Causes of this Division, that when they are laid open, I may proceed (if you think fit to permit it) from the Disease, when known, to enquire out the Remedies.

Eng. Gent. Before I come to make you any Answer, I must thank you for the Worthy and Honourable Character you give of our Nation, and shall add to it, That I do verily believe, that there are not a more Loyal and Faithful People to their Prince in the whole World, than ours are; nor that fear more to fall into that state of Confusion, in which we were twenty years since; and that, not only this Parliament, which consists of the most Eminent Men of the Kingdom, both for Estates and Parts; but all the Inhabitants of this Isle in general; even
C those

those (so many of them as have their understandings yet entire) which were of the Anti-royal Party, in our late Troubles, have all of them the greatest horror imaginable, to think of doing any thing, that may bring this poor Country into those Dangers and Uncertainties, which then did threaten our Ruin; and the rather for this Consideration; that neither the Wisdom of some, who were engaged in those Affairs, which I must aver to have been very great, nor the success of their Contest, which ended in an absolute Victory, could prevail, so as to give this Kingdom any advantage; nay, not so much as any settlement, in Satisfaction and Requit of all the Blood it had lost, Money it had spent, and Hazard it had run. A clear Argument why we must totally exclude a Civil War from being any of the Remedies, when we come to that point. I must add further, That as we have as loyal Subjects as are any where to be found, so we have as gracious and good a Prince: I never having yet heard that he did, or attempted to do, any the least Act of Arbitrary Power, in any publick Concern; nor did ever
take

take, or endeavour to take from any particular person the benefit of the Law. And for his only Brother (although accidentally he cannot be denied to be a great motive of the Peoples unquietness) all men must acknowledge him to be a most Glorious and Honourable Prince; one who has exposed his Life several times for the Safety and Glory of this Nation; one who pays justly and punctually his Debts, and manages his own Fortune discreetly; and yet keeps the best Court and Equipage of any Subject in Christendom; is Courteous and Affable to all; and in fine, has nothing in his whole Conduct to be excepted against, much less dreaded; excepting, that he is believed to be of a Religion contrary to the Honour of God, and the Safety and Interest of this People, which gives them just Apprehensions of their Future Condition: But of this matter, we shall have occasion to Speculate hereafter; in the mean time, since we have such a Prince, and such Subjects, we must needs want the ordinary cause of Distrust and Division, and therefore must seek higher to find out the Original

iginal of this turbulent posture we are in.

Doct. Truly you had need seek higher or lower to satisfie us, for hitherto you have but enforced the Gentleman's Question, and made us more admire what the Solution will be.

Eng. Gent. Gentlemen, then I shall delay you no longer: The Evil Counsellors, the Pensioner-Parliament, the Thorow-pac'd Judges, the Flattering Divines, the Busie and Designing Papists, the *French* Counsels, are not the Causes of our Misfortunes, they are but the Effects (as our present Distractions are) of one Primary Cause; which is the Breach and Ruin of our Government; which having been decaying for near two hundred years, is in our Age brought so near to Expiration, that it lyes agonizing, and can no longer perform the Functions of a Political Life, nor carry on the work of Ordering and Preserving Mankind: So that the Shifts that our Courtiers have within some years used, are but so many Tricks, or Conclusions which they are trying to hold Life and Soul together a while longer; and have played
Handy.

Handy-Dandy with Parliaments, and especially with the House of Commons, (the only part which is now left entire of the old Constitution) by Adjourning, and Proroguing, and Dissolving them (contrary to the true meaning of the Law) as well in the Reign of our late King, as during his Majesties that now is. Whereas indeed our Counsellors (perceiving the decay of the Foundation, as they must, if they can see but one Inch into the Politicks) ought to have Addressed themselves to the King to call a Parliament, the true Physician, and to lay open the Distemper there, and so have endeavour'd a Cure, before it had been too late, as I fear it now is: I mean the piecing and patching up the Old Government. It is true, as the Divine *Machiavil* says, That Diseases in Government are like a *Marasmus* in the Body Natural, which is very hard to be discovered whilest it is Curable; and after it comes to be easie to discern, difficult if not impossible to be Remedy'd; yet it is to be supposed that the Counsellors are, or ought to be skillful Physicians, and to foresee the Seeds of State-Distemper,

time enough to prevent the Death of the Patient; else they ought in Conscience to excuse themselves from that sublime Employment, and betake themselves to Callings more suitable to their Capacities. So that although for this Reason the Ministers of State here are inexcusable, and deserve all the Fury which must one time or other be let loose against them, (except they shall suddenly fly from the wrath to come, by finding out in time, and advising the true means of setting things to rights) yet neither Prince nor People are in the meantime to be blamed for not being able to Conduct things better. No more than the Waggoner is to answer for his ill guiding, or the Oxen for their ill drawing the Waggon, when it is with Age and ill Usage broken, and the Wheels unserviceable: Or the Pilot and Mariners, for not weathering out a Storm, when the Ship hath sprung a plank. And as in the Body of Man, sometimes the Head and all the Members are in good Order, nay, the Vital Parts are sound and entire; yet if there be a Considerable Putrification in the humours,

much

much more, if the Blood (which the Scripture calls the Life) be Impure and Corrupted; the Patient ceases not to be in great Danger, and oftentimes dies without some skillful Physician: And in the mean time the Head and all the parts suffer, and are unquiet, full as much, as if they were all immediately affected. So it is in every respect with the Body Politick, or Common-Wealth, when their Foundations are moulder'd: And although in both these Cases, the Patients cannot (though the Distemper be in their own Bodies) know what they ail, but are forced to send for some Artist to tell them; yet they cease not to be extremely uneasy and impatient, and lay hold often times upon unsuitable Remedies, and impute their Malady to wrong and ridiculous Causes. As some people do here, who think that the growth of Popery is our only Evil, and that if we were secure against that, our Peace and Settlement were obtain'd, and that our Disease needed no other Cure. But of this more when we come to the Cure.

Noble Ven. Against this Discourse, certainly we have nothing to reply: but

must grant, that when any Government is decay'd, it must be mended, or all will Ruine. But now we must Request you to declare to us, how the Government of *England* is decay'd, and how it comes to be so. For I am one of those Unskilful Persons, that cannot discern a State *Marasmus*, when the danger is so far off.

Eng. Gent. Then no man living can; for your Government is this day the only School in the World, that breeds such Physicians, and you are esteemed one of the ablest amongst them: And it would be manifest to all the World for Truth; although there were no Argument for it, but the admirable Stability and Durableness of your Government, which hath lasted above twelve hundred years entire and perfect; whilst all the rest of the Countreys in *Europe*, have not only changed Masters very frequently in a quarter of that time, but have varied and altered their Politics very often. Which manifests that you must needs have ever enjoy'd a Succession of wise Citizens, that have had Skill and Ability to forwarn you betimes of those Rocks against which your excellent-built Vessel might in time split.

Noble Ven.

Noble Ven. Sir, you over-value, not only me, but the Wisdom of my Fellow Citizens; for we have none of these high Speculations, nor hath scarce any of our Body read *Aristotle*, *Plato*, or *Cicero*, or any of those great Artists, Ancient or Modern, who teach that great Science of the Governing and Increasing great States and Cities; without studying which Science no man can be fit to discourse pertinently of these matters; much less to found or mend a Government, or so much as find the defects of it. We only study our own Government, and that too chiefly to be fit for advantageous Employments, rather than to foresee our dangers. Which yet I must needs confess some amongst us are pretty good at, and will in a Harangue made upon passing a Law, venture to tell us what will be the Consequence of it two hundred years hence. But of these things I shall be very prodigal in my discourse, when you have Leisure and Patience to command me to say any thing of our Polity; in the mean time pray be pleased to go on with your Edifying Instruction.

Eng. Gent

Eng. Gent. Before I can tell you how the Government of *England* came to be decayed, I must tell you what that Government was, and what it now is: And I should say something too of Government in General, but that I am afraid of talking of that Subject, before you who are so exact a Judge of it.

Noble Ven. I thought you had been pleased to have done with this Discourse, I assure you, Sir, if I had more skill in that matter than ever I can pretend to, it would but serve to make me the fitter Auditor of what you shall say on that Subject.

Eng. Gent. Sir, in the Course of my Reasoning upon this Point, I shall have occasion to insist and expatiate upon many things, which both my self and others have Publish'd in former times. For which I will only make this excuse, that the Repetition of such matters is the more pardonable, because they will be at least new to you, who are a stranger to our Affairs and Writings. And the rather because those discourses shall be applyed to our present condition, and suited to our present occasions. But I will say no more, but obey you, and proceed. I will not take
upon

upon me to say, or so much as Conjecture, how and when Government began in the World, or what Government is most Ancient: History must needs be silent in that point, for that Government is more Ancient than History. And there was never any Writer, but was bred under some Government, which is necessarily supposed to be the Parent of all Arts and Sciences, and to have produced them. And therefore it would be as hard for a man to Write an account of the beginning of the Laws and Polity of any Country, except there were memory of it, (which cannot be before the first Historiographer) as it would be to any person without Records to tell the particular History of his own Birth.

Doct. Sir, I cannot comprehend you, may not Historians Write a History of Matters done before they were born? If it were so, no man could Write but of his own times.

Eng. Gent. My meaning is, Where there are not Stories, or Records, extant; for as for Oral Tradition, it lasts but for one Age, and then degenerates into

into Fable : I call any thing in Writing, whereby the account of the Passages or Occurrences of former times is derived to our knowledge, a History, although it be not pend Methodically, so as to make the Author pass for a Wit: And had rather read the Authentick Records of any Country, that is a Collection of their Laws and Letters concerning Transactions of State, and the like, than the most Eloquent and Judicious Narrative that can be made.

Noble Ven. Methings, Sir, your discourse seems to imply, that we have no account extant of the beginning of Governments ; pray what do you think of the Books of *Moses*, which seem to be pend on purpose to inform us how he, by Gods Command, led that People out of *Egypt* into another Land, and in the way made them a Government ? Besides, does not *Plutarch* tells us, how *Theseus* gathered together the disperfed Inhabitants of *Attica*, brought them into one City, and under one Government of his own making ? The like did *Romulus* in *Italy*, and many others in divers Countries.

Eng. Gent.

Eng. Gent. I never said that we had not sufficient knowledge of the Original of particular Governments; but it is evident, that these great Legislators had seen, and lived under other Administrations, and had the help of Learned Law-givers and Philosophers, excepting the first who had the Aid of God himself. So that it remains undiscovered yet, how the first Regulation of Man kind began: And therefore I will take for granted that which all the Politicians conclude: Which is, That Necessity made the first Government. For every man by the first Law of Nature (which is common to us and brutes) had, like Beasts in a Pasture, right to every thing, and there being no Property, each Individual, if he were the stronger, might seize whatever any other had possessed himself of before, which made a State of perpetual War. To Remedy which, and the fear that nothing should be long enjoyed by any particular person (neither was any mans Life in safety) every man consented to be debar'd of that Universal Right to all things, and confine himself to a quiet and secure enjoyment of such a part as
 should

should be allotted him: Thence came in Ownership, or Property; to maintain which it was necessary to consent to Laws, and a Government to put them in Execution. Which of the Governments now extant, or that have been formerly, was first, is not possible now to be known; but I think this must be taken for granted, that whatsoever the Frame or Constitution was first, it was made by the Perswasion and Mediation of some Wise and Vertuous Person, and consented to by the whole Number. And then, that it was instituted for the good and preservation of the Governed, and not for the Exaltation and Greatness of the Person or Persons appointed to Govern: The Reason why I beg this Concession is, That it seems very improbable, not to say impossible, that a vast number of people should ever be brought to consent to put themselves under the Power of others, but for the ends above-said, and so lose their Liberty without advantaging themselves in any thing. And it is full as impossible that any person (or persons so inconsiderable in number as Magistrates and Rulers are) should by force get an Empire
to

to themselves. Though I am not ignorant that a whole people have in imminent Dangers, either from the Invasion of a powerful Enemy, or from Civil Distractions, put themselves wholly into the hands of one Illustrious Person for a time, and that with good Success, under the best forms of Government: But this is nothing to the Original of States.

Noble Ven. Sir, I wonder how you come to pass over the Consideration of Paternal Government, which is held to have been the beginning of Monarchies?

Eng. Gent. Really I did not think it worth the taking notice of, for though it be not easie to prove a Negative, yet I believe if we could trace all Foundations of Politics that now are, or ever came to our knowledge since the World began; we shall find none of them to have descended from Paternal Power; we know nothing of *Adam's* leaving the Empire to *Cain*, or *Sethe*: It was impossible for *Noah* to retain any Jurisdiction over his own three Sons; who were dispersed into three parts of the World, if our Antiquaries Calculate right; and as for *Abraham*, whilst
he

he lived, as also his Son *Isaac*, they were but ordinary Fathers of Families, and no question governed their own Household as all others do; but when *Jacob* upon his Death-bed did relate to his Children, the Promise Almighty God had made his Grandfather, to make him a great Nation, and give his Posterity a fruitful Territory, he speaks not one word of the Empire of *Reuben* his first born, but supposes them all equal: And so they were taken to be by *Moses*, when he divided the Land to them by Lot; and by Gods command made them a *Common-Wealth*. So that I believe this fancy to have been first started, not by the solid Judgement of any man, but to flatter some Prince, and to assert, for want of better Arguments, the *jus Divinum* of Monarchy.

Noble Ven. I have been impertinent in interrupting you, but yet now I cannot repent of it, since your Answer hath given me so much satisfaction; but if it be so as you say, that Government was at first Instituted for the Interest and Preservation of Mankind, how comes it to pass, That there are and have been so many absolute Monarchies in the World, in which
it

it seems that nothing is provided for, but the Greatness and Power of the Prince.

Eng. Gent. I have presumed to give you already my Reason, why I take for granted, that such a Power could never be given by the Consent of any People, for a perpetuity; for though the People of *Israel* did against the will of *Samuel*, and indeed of God himself demand, and afterwards chuse themselves a King; yet he was never such a King as we speak of; for that all the Orders of their Common wealth the Sanhedrim, the Congregation of the People, the Princes of the Tribes, &c. did still remain in being, as hath been excellently proved by a learned Gentleman of our Nation, to whom I refer you; it may then be enquired into, how these Monarchies at first did arise. History being in this point silent, as to the Ancient Principalities, we will Conjecture, that some of them might very well proceed from the Corruption of better Governments, which must necessarily cause a Depravation in manners (as nothing is more certain than that Politick defects breed Moral ones, as our Nation is a pregnant Example) this De-

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bauchery

bauchery of manners might blind the understandings of a great many, destroy the Fortunes of others, and make them indigent, infuse into very many a neglect and carelessness of the publick good (which in all settled States is very much regarded) so that it might easily come into the Ambition of some bold aspiring Person to affect Empire, and as easily into his Power, by fair pretences with some, and promises of advantages with others, to procure Followers, and gain a numerous Party, either to Usurp Tyranny over his own Country, or to lead men forth to Conquer and Subdue another. Thus it is supposed that *Nimrod* got his Kingdom; who in Scripture is called a Great Hunter before God, which Expositors interpret, A great Tyrant. The Modern Despotical Powers have been acquired by one of these two ways, either by pretending by the first Founder thereof, that he had a Divine Mission and so gaining not only Followers, but even easie Access in some places without Force to Empire, and afterwards dilating their Power by great Conquests. Thus *Makomet* and *Cingis Can* began, and establish

established the *Sarazen* and *Tartarian* Kingdoms; or by a long Series of Wisdom in a Prince, or chief Magistrate of a mixt Monarchy, and his Council, who by reason of the Sleepiness and Inadvertency of the People, have been able to extinguish the great Nobility, or render them Inconsiderable; and so by degrees taking away from the People their Protectors, render them Slaves. So the Monarchies of *France*, and some other Countries, have grown to what they are at this day; there being left but a Shaddow of the three States in any of these Monarchies, and so no bounds remaining to the Regal Power; but since Property remains still to the Subjects, these Governments may be said to be changed, but not founded or established; for there is no Maxim more Infallible and Holding in any Science, than this is in the Politicks, *That Empire is founded in Property*: Force or Fraud may alter a Government; but it is Property that must Found and Eternise it: Upon this undeniable *Aphorisme* we are to build most of our subsequent Reasoning, in the mean time we may suppose, that

hereafter the great power of the *King* of *France* may diminish much, when his enraged and oppressed Subjects come to be commanded by a Prince of less Courage, Wisdom, and Military Vertue, when it will be very hard for any such King to Govern Tyrannically a Country which is not entirely his own.

Doct. Pray, Sir, give me leave to ask you by the way, what is the Reason that here in our Country, where the Peerage is lessened sufficiently, the King has not gotten as great an Addition of Power as accrews to the Crown in *France*?

Eng. Gent. You will understand that, Doctor, before I have finisht this discourse; but to stay your Stomach till then, you may please to know that in *France* the greatness of the Nobility which has been lately taken from them, did not consist in vast Riches and Revenues, but in great Priviledges, and Jurisdictions, which obliged the People to obey them; whereas our great Peers in former times had not only the same great Dependences, but very Considerable Revenues besides, in Demesnes, and other

therwise: This Vassallage over the People, which the Peers of *France* had, being abolisht, the Power over those Tenants, which before was in their Lords, fell naturally and of course into the Crown, although the Lands and Possessions divested of those Dependences did and do still remain to the Owners; whereas here in *England*, though the Services are for the most part worn out, and insignificant; yet for want of Providence and Policy in former Kings, who could not foresee the danger a-far off, Entails have been suffered to be cut off; and so two parts in ten of all those vast Estates, as well Mannours as Demesnes, by the Luxury and Folly of the Owners, have been within these two hundred years purchased by the lesser Gentry and the Commons; which has been so far from advantaging the Crown, that it has made the Country scarce governable by Monarchy: But if you please, I will go on with my discourse about Government, and come to this again hereafter?

Noble Ven. I beseech you, Sir, do.

Eng. Gent. I cannot find by the small

reading I have, that there were any other Governments in the World Anciently than these three, *Monarchy*, *Aristocracy*, and *Democracy*. For the first, I have no light out of Antiquity to convince me, that there were in old time any other *Monarchies*, but such as were absolutely *Despotical*; all Kingdoms then, as well in *Greece* (as *Macedon*, *Epirus*, and the like; and where it is said, the Princes exercised their Power moderately) as in *Asia*, being altogether unlimited by any Laws, or any Assemblies of Nobility or People. Yet I must confess, *Aristotle*, when he reckons up the Corruptions of these three Governments, calls Tyranny the Corruption of Monarchy; which if he means a Change of Government, (as it is in the Corruptions of the other two) then it must follow, that the Philosopher knew of some other Monarchy at the first, which afterwards degenerated into Tyranny, that is, into Arbitrary Power; for so the Word Tyranny is most commonly taken, though in modern Languages it signifies the ill Exercise of Power; for certainly Arbitrary Government cannot be called Tyranny, where the whole

whole Property is in the Prince (as we reasonably suppose it to have been in those Monarchies) no more than it is Tyranny for you to govern your own House and Estate as you please: But it is possible *Aristotle* might not in this speak so according to Terms of Art, but might mean, that the ill Government of a Kingdom or Family is Tyranny. However we have one Example, that puzzles Politicians, and that is *Egypt*, where *Pharaoh* is called King; and yet we see, that till *Joseph's* time he had not the whole Property; for the Wisdom of that Patriarch taught his Master a way to make a new use of that Famine, by telling him, that if they would buy their Lives, and sell their Estates (as they did afterwards, and preserve themselves by the Kings Bread) they shall serve *Pharaoh*; which shews that *Joseph* knew well, that *Empire* was founded in Property: But most of the Modern Writers in Polity, are of Opinion, that *Egypt* was not a Monarchy till then, though the Prince might have the Title of King, as the *Heraclides* had in *Sparta*, and *Romulus* and the other Kings had in *Rome*; both which States were Institu-

ted *Common-Wealths*. They give good Conjectures for this their Opinion, too many to be here mentioned; only one is, That Originally (as they go about to prove) all Arts and Sciences had their Rise in *Egypt*, which they think very improbable to have been under a Monarchy. But this Position, That all Kings in former times were absolute, is not so Essential to the intent I have in this Discourse, which is to prove, That in all States, of what kind soever, this Aphorism takes place : *Imperium fundatur in Dominio*. So that if there were mixed Monarchies, then the King had not all the Property; but those who shared with him in the Administration of the Sovereignty, had their part, whether it were the Senate, the People, or both; or if he had no Companions in the Sovereign Power, he had no Sharers likewise in the Dominion or Possession of the Land. For that is all we mean by Property, in all this Discourse; for as for Personal Estate, the Subjects may enjoy it in the largest Proportion, without being able to invade the Empire: The Prince may when he pleases take away their

their Goods, by his Tenants and Vassals (without an Army) which are his Ordinary Force, and answers to our *Posse Comitatus*. But the Subjects with their Money cannot invade his Crown. So that all the Description we need make of this Kind or Form of Government, is, That the whole possession of the Country, and the whole power lies in the Hands and Breast of one man; he can make Laws, break and repeal them when he pleases, or dispense with them in the mean time when he thinks fit; interpose in all Judicatories, in behalf of his Favourites, take away any particular mans personal Estate, and his Life too, without the formality of a Criminal Process, or Trial; send a Dagger, or a Halter to his chief Ministers, and command them to make themselves away; and in fine, do all that his Will or his Interest suggests to him.

Doct. You have dwelt long here upon an Argumentation, That the Ancients had no Monarchies, but what were Arbitrary.

Eng. Gent. Pray give me leave to save your Objections to that point, and to assure you first, That I will not take
upon

upon me to be so positive in that; for that I cannot pretend to have read all the Historians and Antiquaries that ever Writ; nor have I so perfect a memory as to remember, or make use of, in a Verbal and Transient Reasoning, all that I have ever read: And then to assure you again, that I build nothing upon that Assertion, and so your Objection will be needless, and only take up time.

Doct. You mistake me, I had no intent to use any Argument or Example against your Opinion in that; but am very willing to believe that it may be so. What I was going to say was this, that you have insisted much upon the point of Monarchy, and made a strange description of it, whereas many of the Ancients, and almost all the Modern Writers, magnifie it to be the best of Governments.

Eng. Gent. I have said nothing to the contrary. I have told you *de facto* what it is, which I believe none will deny. The Philosophers said it was the best Government; but with this restriction, *ubi Philosophi regnant*, and they had an Example

Example of it, in some few *Roman* Emperours ; but in the most turbulent times of the Common-wealth, and Factions between the Nobility and the People, *Rome* was much more full of Vertuous and Heroick Citizens, then ever it was under *Aurelius*, or *Antoninus* : For the Moderns that are of that Judgement, they are most of them Divines, not Politicians, and something may be said in their behalf, when by their good Preaching, they can infuse into their imaginary Prince (who seems already to have an Image of the Power of God) the Justice, Wisdom, and Goodness too of the Deity.

Noble Ven. We are well satisfied with the Progress you have hitherto made in this matter ; pray go on to the two other Forms used amongst the Ancients, and their Corruptions, that so we may come to the Modern Governments, and see how *England* stands, and how it came to decay, and what must Rebuild it.

Eng. Gent. You have very good Reason to hasten me to that ; for indeed, all that has been said yet, is but as it were

a Preliminary discourse to the knowledge of the Government of *England*, and its decay : when it comes to the Cure, I hope you will both help me, for both your self and the Doctor are a thousand times better than I at Remedies. But I shall dispatch the other two Governments. *Aristocracy*, or *Optimacy*, is a Common-wealth, where the better sort, that is, the Eminent and Rich men, have the chief Administration of the Government : I say, the chief, because there are very few ancient *Optimacies*, but the People had some share, as in *Sparta*, where they had power to Vote, but not Debate ; for so the Oracle of *Apollo*, brought by *Lycurgus* from *Delphos*, settles it ; But the truth is, these people were the natural *Spartans*. For *Lycurgus* divided the Country or Territory of *Laconia* into 39000 Shares ; whereof Nine thousand only of these Owners were Inhabitants of *Sparta* ; the rest lived in the Country : so that although *Thucydides* call it an *Aristocracy*, and so I follow him, yet it was none of those *Aristocracies* usually described by the Politicians, where the Lands of the Territory were in a great deal fewer Hands.

Hands. But call it what you will, where ever there was an Aristocracy, there the Property, or very much the Over-balance of it, was in the hands of the *Aristoi*, or Governours, be they more or fewer; for if the People have the greatest interest in the Property, they will, and must have it in the Empire: A notable example of it is *Rome*, the best and most glorious Government that ever the Sun saw; where the Lands being equally divided amongst the Tribes, that is the people; it was impossible for the *Patricii* to keep them quiet, till they yielded to their desires, not only to have their *Tribunes*, to see that nothing passed into a Law without their consent, but also to have it declared, that both the *Consuls* should not only be chosen by the people (as they ever were, and the Kings too before them) but that they might be elected too, when the people pleased, out of *Plebeian* Families. So that now I am come to *Democracy*. Which you see is a Government where the chief part of the Sovereign Power, and the exercise of it, resides in the *People*; and where the Style is, *Jussu populi auctoritate*

thoritate patrum. And it doth consist of three fundamental Orders. The Senate proposing, the People resolving, and the Magistrates executing. This Government is much more Powerful than an *Aristocracy*, because the latter cannot arm the People, for fear they should seize upon the Government, and therefore are fain to make use of none but Strangers and Mercenaries for Souldiers; which, as the Divine *Machiavil* says, has hindred your Common-wealth of *Venice* from mounting up to Heaven, whither those incomparable Orders, and that venerable Wisdom used by your Citizens in keeping to them, would have carried you, if in all your Wars you had not been ill served.

Doct. Well, Sir, pray let me ask you one thing concerning *Venice*: How do you make out your *Imperium fundatur in dominio* there? Have the Gentlemen there, who are the Party governing, the possession of the whole Territory? Does not property remain entire to the Gentlemen, and other Inhabitants in the several Countries of *Padua, Brescia, Vicenza, Verona, Bergamo, Creman, Trevisi, and Friuli,*

Friuli, as also in the *Ultramarine* Provinces, and *Islands*? And yet I believe you will not deny, but that the Government of *Venice* is as well founded, and hath been of as long continuance as any that now is, or ever was in the World.

Eng. Gent. Doctor, I shall not answer you in this, because I am sure it will be better done by this Gentleman, who is a worthy Son of that honourable Mother.

Noble Ven. I thought you had said, Sir, that we should have done Complimenting; but since you do Command me to clear the Objection made by our learned Doctor, I shall presume to tell you, first how our City began. The *Goths*, *Huns*, and *Lombards* coming with all the Violence and Cruelty imaginable, to invade that part of *Italy* which we now call *Terra firma*, and where our Ancestors did then inhabit, forced them in great numbers to seek a shelter amongst a great many little Rocks, or *Islands*, which stood very thick in a vast Lake, or rather Marsh, which is made by the *Adriatique* Sea, we call it *Laguna*; here they began to build, and getting
Boats,

Boats, made themselves Provisions of all kind from the Land; from whence innumerable people began to come to them, finding that they could subsist, and that the barbarous people had no Boats to attack them, nor that they could be invaded either by Horse or Foot without them. Our first Government, and which lasted for many years, was no more than what is practised in many Country Parishes in *Italy*, and possibly here too, where the Clerk, or any other person, calls together the chief of the Inhabitants to consider of Parish-business, as chusing of Officers, making of Rates, and the like. So in *Venice*, when there was any publick provision to be made by way of Law; or otherwise, some Officers went about to persons of the greatest Wealth and Credit, to intreat them to meet and consult; from whence our Senate is called to this day *Consiglio de pregadi*, which in our Barbarous Idiom is as much as *Pregati* in *Tuscan* Language: Our security increased dayly, and so by consequence our Number and our Riches; for by this time there began to be another inundation of *Saracens* upon *A-*
sia,

ſta Minor, which forced a great many of the poor people of *Greece* to fly to us for protection, giving us the poſſeſſion of ſome Iſlands, and other places upon the Continent: This opened us a Trade; and gave a beginning to our greatneſs; but chiefly made us conſider what Government was fitteſt to conſerve our ſelves, and keep our Wealth (for we did not then much dream of Conqueſts, elſe without doubt we muſt have made a popular Government) we pitcht upon an *Ariſtocracy*, by ordering that thoſe who had been called to Council for that preſent year, and for four years before, ſhould have the Government in their hands, and all their Poſterity after them for ever; which made firſt the diſtinction between Gentlemen and Citizens; the people, who conſiſted of divers Nations, moſt of them newly come to inhabit there, and generally ſeeking nothing but ſafety and eaſe, willingly conſented to this change, and ſo this *State* hath continued to this day; though the ſeveral Orders and Counſels have been brought in ſince, by degrees, as our Nobility encreaſed, and for other

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causes. Under this Government we have made some Conquests in *Italy*, and *Greece*, for our City stood like a Wall between the two great Torrents of *Goths* and *Sarazens*; and as either of their Empires declin'd, it was easie for us, without being very Warlike, to pick up some pieces of each side; as for the Government of these Conquests, we did not think fit to divide the Land amongst our Nobility, for fear of Envy, and the effects of it; much less did we think it adviseable to plant Colonies of our People, which would have given the Power into their hands, but we thought it the best way for our Government to leave the people their Property, tax them what we thought fit, and keep them under by Governours and Citadels, and so in short make them a Province. So that now the Doctors Riddle is solved; for I suppose this Gentleman did not mean that his Maxime should reach to Provincial Governments.

Eng. Gent. No, Sir, so far from that, that it is just contrary; for as in National or Domestick Government, where a Nation is Governed either by its own people

people; or its own Prince, there can be no settled Government, except they have the Rule who possess the Country. So in Provincial Governments, if they be wisely ordered, no man must have any the least share in the managing Affairs of State, but strangers, or such as have no share or part in the possessions there, for else they will have a very good opportunity of shaking off their Yoak.

Doct. That is true; and we are so wise here (I mean our Ancestors were) as to have made a Law, That no Native in *Ireland* can be *Deputy* there: But, Sir, being fully satisfied in my demand, by this Gentleman; I beseech you to go on to what you have to say, before you come to *England*.

Eng. Gent. I shall then offer two things to your Observation; the first is, That in all times and places, where any great Heroes, or Legislators, have founded a Government, by gathering people together to build a City, or to invade any Countrey to possess it, before they came to dividing the conquered Lands, they did always very maturely deliberate un-

der what Form or Model of Government they meant to live, and accordingly made the Partition of the Possessions; *Moses, Theseus, and Romulus*, Founders of *Democracies*, divided the Land equally: *Licurgus* who meant an *Optimacy*, made a certain number of Shares, which he intended to be in the hands of the People of *Laconia*. *Cyrus*, and other conquering Monarchs before him, took all for themselves and Successors, which is observed in those Eastern Countries to this day, and which has made those Countries continue ever since under the same Government, though Conquered and possessed very often by several Nations: This brings me to the second thing to be observed, which is, *That wherever this apportionment of Lands came to be changed in any kind, the Government either changed with it, or was wholly in a state of confusion*: And for this reason *Licurgus*, the greatest Politician that ever Founded any Government, took a sure way to fix Property by Confounding it, and bringing all into Common: And so the whole number of the Natural *Spartans*, who inhabited the City of *Lacedemon*, eat
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and drank in their several *convives* together: And as long as they continued so to do, they did not only preserve their Government entire, and that for a longer time than we can read of any Commonwealth that ever lasted amongst the Ancients, but held as it were the principality of *Greece*. The *Athenians* for want of some Constitutions to fix Property, as *Theseus* placed it, were in danger of utter ruine, which they had certainly encounter'd, if the good Genius (as they then call'd it) of that People, had not raised them up a second Founder, more than six hundred years after the first, which was *Solon*: And because the History of this matter will very much conduce to the illustrating of this Aphorisme we have laid down, I will presume so much upon your patience as to make a short recital of it, leaving you to see it more at large in *Plutarch* and other Authors. The Lands in the Territory of *Attica* which were in the possession of the Common People, (for what reason History is silent) were for Debt all Mortgaged to the great Men of the City of *Athens*, and the Owners having no possibility of Re-

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deeming their Estates, were treating to Compound with their Creditors, and deliver up their Lands to them: *Solon* (who was one of those State Physicians we spake of,) was much troubled at this, and harangued daily to the Nobility and People against it, telling them first, that it was impossible for the *Grecians* to resist the *Medes* (who were then growing up to a powerful Monarchy) except *Athens* the second City of *Greece* did continue a Democracy; That it was as Impossible the People could keep their Empire, except they kept their Lands, nothing being more contrary to Nature, than that those who possess nothing in a Country can pretend to Govern it. They were all sensible of his Reasons, and of their own Danger, but the only Remedy (which was, that the great Men should forgive the Common People their Debts) would not at all be digested; so that the whole City now fully understanding their condition, were continually in an uproar, and the People flock'd about *Solon*, whenever he came abroad, desiring him to take upon him the Government, and be their Prince,

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And they would make choice of him the next time they assembled. He told them no, he would never be a Tyrant, especially in his own Country; meaning, that he who had no more share than other of the Nobles, could not Govern the rest, without being an Usurper or Tyrant: But this he did to oblige his Citizens, he frankly forgave all the Debts that any of the People owed to him, and released their Lands immediately; and this amounted to fifteen *Attick* Talents of Gold, a vast sum in those days; and betook himself to a voluntary Exile, in which he visited *Thales*, and went to visit the Oracle of *Delphos*, and offer up his Prayers to *Apollo* for the preservation of his City: In return of which (as the People then believed) the hearts of the great ones were so changed and enlarged, that they readily agreed to remit all their Debts to the People, upon Condition that *Solon* would take the pains to make them a New Model of Government, and Laws suitable to a Democracy, which he as readily accepted and performed; by vertue of which that City grew and continued long the Great-

est, the Justest, the most Vertuous, Learned and Renowned of all that Age; drove the *Persians* afterwards out of *Greece*, defeated them both by Sea and Land, with a quarter of their number of Ships and Men; and produced the greatest Wits and Philosophers that ever lived upon Earth. The City of *Athens* Instituted a Solemn Feast in Commemoration of that great Generosity and Self-denial of the Nobility; who Sacrificed their own Interest to the preservation of their Country: which Feast was called the Solemnity of the *Seisachtheia*, which signifies recision or abolition of Debts, and was observed with Processions, Sacrifices and Games, till the time of the *Roman's* Dominion over them (who encouraged it,) and ever till the change of Religion in *Greece*, and Invasion of the *Sarazens*. The *Roman's* having omitted in their Institution to provide for the fixing of Property, and so the Nobility called *Patricii*, beginning to take to themselves a greater share in the conquer'd Lands than had been usual (for in the first times of the Commonwealth under *Romulus*, and ever after, it was always practised

practised to divide the Lands equally amongst the Tribes) this Innovation stirred up *Licinius Stolo*, then Tribune of the People, to propose a Law; which, although it met with much difficulty, yet at last was consented to; by which it was provided, that no *Roman Citizen*, of what degree soever, should possess above five hundred Acres of Land; and for the remaining part of the Lands which should be Conquer'd, it was Ordered to be equally divided, as formerly, amongst the Tribes: This found admittance, after much opposition, because it did provide but for the future, no Man at that time being owner of more Lands, than what was lawful for him to possess; and if this law had been strictly observed to the last, that glorious Commonwealth might have subsisted to this day, for ought we know.

Doctor. Some other Cause would have been the Ruine of it, what think you of a Foreign Conquest?

Eng. Gent. Oh *Doctor*, if they had kept their Poverty they had kept their Government and their Vertue too, and then it had not been an easie matter to subdue them;

them, *Quos vult perdere Jupiter dementat*; Breach of Rules and Order causes Division, and Division when it comes to be Incurable, exposes a Nation almost as much as a Tyrannical Government does. The *Goths* and *Vandals*, had they Invaded in those days, had met with the same success which befell the *Cymbri*, and the *Teutones*. I must confess, a Foreign Invasion is a Formidable thing, when a Commonwealth is weak in Territory and Inhabitants, and that the Invader is numerous and Warlike: And so we see the *Romans* were in danger of utter ruine when they were first attacked by the *Gauls* under *Brennus*: The like hazzard may be feared, when a Commonwealth is assaulted by another of equal Vertue, and a Commander of equal Address and Valour to any of themselves. Thus the *Romans* run the risk of their Liberty and Empire, in the War of *Hanibal*; but their Power and their Vertue grew to that heighth in that contest, that when it was ended, I believe, that if they had preserved the Foundation of their Government entire, they had been Invincible: And if I were alone of this Opinion,

on, I might be ashamed; but I am backt by the Judgment of your Incomparable Country-man *Machiavil*; and no Man will condemn either of us of rashness, if he first consider, what small States, that have stood upon right bottoms, have done to defend their Liberty against great Monarchs; as is to be seen in the example of the little Commonwealth of *Athens*, which destroyed the Fleet of *Xerxes*, consisting of a thousand Vessels, in the Streights of *Salamis*, and his Land Army of three hundred thousand in the Plains of *Marathon*, and drove them out of *Greece*; for though the whole Confederates were present at the Battel of *Platæa*, yet the *Athenian* Army singly under their General *Miltiades*, gained that renowned Battel of *Marathon*.

Noble Ven. I beseech you, Sir, how was it possible, or practicable, that the *Romans* Conquering so many and so remote Provinces, should yet have been able to preserve their Agrarian Law, and divide all those Lands equally to their Citizens? Or if it had been possible, yet it would have ruin'd their City, by sending all their Inhabitants away; and by
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taking in Strangers in their room, they must necessarily have had people less Vertuous and less Warlike, and so both their Government and their Military Discipline must have been Corrupted; for it is not to be immagined, but the People would have gone with their Families to the place where their Lands lay : So that it appears that the *Romans* did not provide, in the making and framing their first Polity, for so great Conquests as they afterwards made.

Eng. Gent. Yes, surely they did ; from their first beginning they were Founded in War, and had neither Land nor Wives but what they fought for ; but yet what you object were very weighty, if there had not been a consideration of that early : For assoon as that great and wise People had subdued the *Samnites* on the East, and brought their Arms as far as the *Greek* Plantations, in that part of *Italy* which is now called the Kingdom of *Naples*; and Westward, had reduced all the *Tuscans* under their Obedience, as far as the River *Arnus*, they made that and the River *Volturnus* (which runs by the Walls of *Capua*) the two Boundaries of their

their Empire, which was called *Domicilium Imperii*. These were the *ne plus ultra*, for what they Conquered between these two Rivers, was all confiscated and divided amongst the Tribes; the *Rustick* Tribes being twenty seven, and the *Urbane* Tribes nine, which made thirty six in all. The City Tribes were like our Companies in *London*, consisting of Tradesmen. The Country Tribes were divided like Shires, and there was scarce any Landed Men, who Inhabited in the City, but he was written in that Tribe where his Estate lay; so that the *Rustick* Tribes (though they had all equal Voices) were of far more Credit and Reputation than the *Urbane*. Upon the days of the *Comitia*, which were very well known, as many as thought fit amongst the Country Tribes, came to give their Voices, though every Tribe was very numerous of Inhabitants that lived in the City. Now the *Agrarian* did not extend to any Lands conquered beyond this Precinct, but they were left to the Inhabitants, they paying a Revenue to the Commonwealth; all but those which were thought fit to be set out to main-

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tain a *Roman* Colony, which was a good number of *Roman* Citizens, sent thither, and provided of Lands and Habitations, which being Armed did serve in the nature of a Citadel and Garifon to keep the Province in Obedience, and a *Roman* Prætor, Proconsul, or other Governour, was sent yearly to Head them, and brought Forces with him besides. Now it was ever lawful for any *Roman* Citizen to purchase what Lands he pleased in any of these Provinces; it not being dangerous to a City to have their People rich, but to have such a Power in the Governing part of the Empire, as should make those who managed the Affairs of the Commonwealth depend upon them; which came afterwards to be that which ruined their Liberty, and which the *Gracchi* endeavoured to prevent when it was too late: For those Illustrious persons seeing the disorder that was then in the Commonwealth, and rightly comprehending the Reason, which was the Intermifion of the *Agrarian*, and by consequence the great Purchases which were made by the Men of *Rome* (who had inrich'd themselves in *Asia* and the other Provinces)

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in that part of *Italy* which was between the two Rivers, before-mentioned, began to harrangue the People, in hopes to perswade them to admit of the right Remedy, which was to confirm the *Agrarian* Law with a Retrospect; which although they carried, yet the difficulties in the Execution proved so great, that it never took effect, by reason that the Common People, whose Interest it was to have their Lands restored; yet having long lived as Clients, and Dependants of the great ones, chose rather to depend still upon their Patrons, than to hazard all for an Imaginary deliverance, by which supineness in them, they were prevail'd with rather to joyn (for the most part) with the Oppressors of themselves and their Country, and to cut the throats of their Redeemers, than to employ their just resentment against the covetous Violators of their Government and Property. So perished the two renowned *Gracchi*, one soon after the other, not for any crime, but for having endeavoured to preserve and restore their Commonwealth; for which (if they had lived in times suitable to such an Heroick undertaking,

taking, and that the vertue of their Ancestors had been yet in any kind remaining) they would have merited and enjoyed a Reputation equal to that of *Lycurgus*, or *Solon*, whereas as it happen'd, they were sometime after branded with the name of Sedition, by certain Wits, who prostituted the noble flame of Poetry (which before had wont to be employed in magnifying Heroick Actions) to flatter the Lust and Ambition of the *Roman Tyrants*.

Noble Ven. Sir, I approve what you say in all things, and in Confirmation of it, shall further alledge the two famous Princes of *Sparta*, *Agis*, and *Cleomines*, which I couple together, since *Plutarch* does so; These finding the Corruption of their Commonwealth, and the Decay of their ancient Vertue, to proceed from the neglect and inobservance of their Founders Rules, and a breach of that Equality which was first Instituted; endeavoured to restore the Laws of *Lycurgus*, and divide the Territory anew; their Victory in the *Peloponesian War*, and the Riches and Luxury brought into their City by *Lisander*, having long before
broken

broken all the Orders of their Commonwealth, and destroyed the Proportions of Land allotted to each of the Natural *Spartans*: But the first of these two excellent Patriots perished by Treachery in the beginning of his Enterprize, the other began and went on with incomparable Prudence and Resolution, but miscarried afterwards by the Iniquity of the times, and baseness and wickedness of the People; so infallibly true it is, That where the Policy is Corrupted, there must necessarily be also a Corruption and depravation of Manners, and an utter abolition of all Faith, Justice, Honour, and Morality; but I forget my self, and intrench upon your Province: there is nothing now remains to keep you from the Modern Policies, but that you please to shut up this Discourse of the Ancient Governments, with saying something of the Corruptions of *Aristocracy*, and *Democracy*; for I believe both of us are satisfied that you have abundantly proved your Assertion, and that when we have leisure to examine all the States or Policies that ever were, we shall find all their Changes to have turn'd upon
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this Hinge of Property, and that the fixing of that with good Laws in the beginning or first Institution of a State, and the holding to those Laws afterwards, is the only way to make a Commonwealth Immortal.

Eng. Gent. I think you are very right; but I shall obey you, and do presume to differ from *Aristotle*, in thinking that he has not fitly called those Extreams (for so I will stile them) of *Aristocracy* and *Democracy*, Corruptions; for that they do not proceed from the alteration of Property, which is the *Unica corruptio politica*: For example, I do not find that Oligarchy, or Government of a few, which is the Extream of an Optimacy, ever did arise from a few Mens getting into their hands the Estates of all the rest of the Nobility: For had it began so, it might have lasted, which I never read of any that did. I will therefore conclude, that they were all Tyrannies; for so the *Greeks* called all Usurpations, whether of one or more persons, and all those that I ever read of, as they came in either by Craft or Violence, as the Thirty Tyrants of *Athens*, the Fifteen of *Thebes*, and the

Decem.

Decem viri of Rome (though these at first came in lawfully) so they were soon driven out; and ever, were either assassinated, or dyed by the Sword of Justice; and therefore I shall say no more of them, not thinking them worth the name of a Government. As for the Extream of *Democracy*, which is *Anarchy*, it is not so; for many Commonwealths have lasted for a good time under that Administration (if I may so call a State so full of Confusion.) An *Anarchy* then is, when the People not contented with their Share in the Administration of the Government, (which is the right of Approving, or Disapproving of Laws, of Leagues, and of making of War and Peace, of Judging in all Causes upon an Appeal to them, and chusing all manner of Officers) will take upon themselves the Office of the *Senate* too, in managing Subordinate Matters of State, Proposing Laws Originally, and assuming Debate in the Market place, making their Orators their Leaders; nay, not content with this, will take upon them to alter all the Orders of the Government when they please; as was frequently

practised in *Athens*, and in the Modern State of *Florence*. In both these Cities, when-ever any great person who could lead the People, had a mind to alter the Government, he call'd them together, and made them Vote a Change. In *Florence* they call'd it, *Chiamar il popolo a Parlamento e rupigliar lo Stato*, which is summoning the People into the Market-place to resume the Government, and did then presently Institute a new one, with new Orders, new Magistracies, and the like. Now that which Originally causes this Disorder, is the admitting (in the beginning of a Government, or afterwards,) the meaner sort of People, who have no Share in the Territory, into an equal part of Ordering the Commonwealth; these being less sober, less considering, and less careful of the Publick Concerns; and being commonly the Major part, are made the Instruments oft-times of the Ambition of the great ones, and very apt to kindle into Faction: but notwithstanding all the Confusion which we see under an Anarchy, (where the wisdom of the better sort is made useless by the fury of the People)

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yet many Cities have subsisted hundreds of years in this condition; and have been more considerable, and performed greater Actions, than ever any Government of equal Extent did, except it were a well regulated *Democracy*; But it is true, they ruine in the end, and that never by Cowardize or baseness, but by too much boldness and temerarious undertakings, as both *Athens* and *Florence* did; The first undertaking the Invasion of *Sicily*, when their Affairs went ill elsewhere; and the other by provoking the *Spaniard* and the *Pope*. But I have done now, and shall pass to say something of the Modern Policy.

Noble Ven. Before you come to that, Sir, pray satisfy me in a Point which I should have moved before, but that I was unwilling to Interrupt your rational Discourse; How came you to take it for granted, that *Moses*, *Theseus*, and *Romulus* were Founders of Popular Governments? as for *Moses*, we have his Story written by an Infallible Pen; *Theseus* was ever called King of *Athens*, though he liv'd so long since, that what is written of him is justly esteem'd fabulous;

but *Romulus* certainly was a King, and that Government continued a Monarchy, though Elective, under seven Princes.

Eng. Gent. I will be very short in my Answer, and say nothing of *Theseus*, for the reason you are pleased to alledge. But for *Moses*, you may read in Holy Writ, that when, by God's Command, he had brought the *Israelites* out of *Egypt*, he did at first manage them by acquainting the People with the Estate of their Government, which People were called together with the sound of a Trumpet; and are tearmed in Scripture, the Congregation of the Lord; this Government he thought might serve their turn in their passage, and that it would be time enough to make them a better when they were in possession of the Land of *Canaan*; Especially having made them Judges and Magistrates at the instance of his Father-in law, which are called in Authors. *Præfecti Jethroniani*; but finding that this Provision was not sufficient, complain'd to God of the difficulty he had, to make that State of Affairs hold together; God was pleased to Order him,

him to let seventy Elders be appointed for a Senate, but yet the Congregation of the Lord continued still, and acted: And by the several soundings of the Trumpets, either the Senate or Popular Assembly were called together, or both; so that this Government was the same with all other *Democracies*, consisting of a Principal Magistrate, a Senate and a People Assembled together, not by Representation, but in a Body. Now for *Romulus*, it is very plain, that he was no more than the first Officer of the Commonwealth, whatever he was called, and that he was chosen (as your *Doge* is) for Life; and when the last of those seven Kings usurpt the place, that is, did reign *injussu populi*, and exercise the Government Tyrannically, the People drove him out (as all People in the World that have Property will do in the like Case, except some extraordinary qualifications in the Prince preserve him for one Age) and afterwards appointed in his room two Magistrates, and made them Annual, which two had the same Command, as well in their Armies as in their Cities, and did not make

the least alteration besides, excepting that they chose an Officer that was to perform the Kings Function in certain Sacrifices (which *Numa* appointed to be performed by the King) lest the People should think their Religion were changed: This Officer was called *Rex Sacrificalus*. If you are satisfied, I will go on to the consideration of our Modern States.

Noble Ven. I am fully answered, and besides am clearly of Opinion, that no Government, whether mixt Monarchy or Commonwealth, can subsist without a Senate, as well from the turbulent State of the *Israelites* under *Moses* till the *Sanhedrin* was Instituted, as from a certain Kingdom of the *Vandals* in *Africa*; where after their Conquest of the Natives, they appointed a Government consisting of a Prince and a Popular Assembly, which latter, within half a year, beat the Kings brains out, he having no bulwark of Nobility or Senate to defend him from them. But I will divert you no longer.

Eng.

Eng. Gent. Sir, you are very right, and we should have spoken some thing of that before, if it had been the businels of this Meeting to Discourse of the particular Models of Government; but intending only to say so much of the Ancient Policy as to shew what Government in General is, and upon what Basis it stands, I think I have done it sufficiently to make way for the understanding of our own, at least when I have said something of the Policies which are now extant; and that with your favour I will do. I shall need say little now of those Commonwealths, which however they came by their Liberty, either by Arms or Purchase, are now much what under the same kind of Policy as the Ancients were. In *Germany*, the Free Towns, and many Princes make up the Body of a Commonwealth called the Empire, of which the Emperour is Head; this General Union hath its Diets or Parliaments, where they are all represented, and where all things concerning the Safety and Interest of *Germany* in General, or that belong to Peace and War, are Transacted; these
Diets

Diets never intermeddle with the particular Concerns or Policies of those Princes or States that make it up, leaving to them their particular Sovereignties: The several Imperial Cities, or Commonwealths, are divided into two kinds, *Lubeck's Law*, and *Collen's Law*, which being the same exactly with the ancient *Democracies* and *Optimacies*, I will say no more of them. The Government of *Switzerland*, and the Seven Provinces of the *Low-Countries* were made up in haste, to Unite them against Persecution and Oppression, and to help to defend themselves the better, which they both have done very gallantly and successfully: They seem to have taken their Pattern from the *Grecians*, who when their Greatness began to decline, and the several Tyrants who succeeded *Alexander* began to press hard upon them, were forced to League themselves (yet in several Confederacies, as that of the *Etolians*, that of the *Achaians*, &c.) for their mutual defence. The *Swisses* consist of Thirteen Sovereignties; some Cities which are most *Aristocratical*, and some Provinces which have but a Village for

for their head Township. These are all *Democracies*, and are Govern'd all by the Owners of Land, who Assemble as our Free-Holders do at the County-Court. These have their General Diets, as in *Germany*. The Government of the United Provinces has for its Foundation the Union of *Utrecht*, made in the beginning of their standing upon their Guard against the Cruelty and Oppression of the *Spaniard*, and patcht up in haste; and seeming to be compos'd only for necessity, as a State of War, has made Modern Statesmen Conjecture that it will not be very practicable in time of Peace, and Security. At their General Diet, which is called the States General, do intervene the Deputies of the Seven Provinces, in what number their Principals please; but all of them have but one Vote, which are by consequence Seven, and every one of the Seven hath a Negative; so that nothing can pass without the Concurrence of the whole Seven. Every one of these Provinces have a Council or Assembly of their own, called the States Provincial, who send and Instruct their Deputies to the States-General,

General, and perform other Offices belonging to the Peace and Quiet of the Province. These Deputies to the States Provincial, are sent by several Cities of which every Province consists, and by the Nobility of the Province, which hath one Voice only: The Basis of the Government lies in these Cities, which are every of them a distinct Sovereignty; neither can the States of the Province, much less the States General, intrench in the least upon their Rights; nor so much as intermeddle with the Government of their Cities, or Administration of Justice, but only treat of what concerns their mutual Defence, and their Payments towards it. Every one of these Cities is a Sovereignty, Governed by an *Optimacy*, consisting of the chief Citizens, which upon death are supplied by new ones Elected by themselves; these are called the *Urnschaperie* or *Herne*, which Council has continued to Govern those Towns, time out of mind; even in the times of their Princes, who were then the Sovereigns; for without the consent of him, or his Deputy, called State-Holder, nothing could be concluded

ded in those days. Since they have Instituted an artificial Minister of their own, whom they still call State-Holder, and make choice of him in their Provincial Assemblies, and for Form sake defer something to him as the Approbation of their Skepen and other Magistrates, and some other Matters: This has been continued in the Province, of *Holland*, which is the chief Province in the Succession of the Princes of *Orange*, and in most of the others too: The rest have likewise chosen some other of the House of *Nassaw*. This Government (so oddly set together, and so compos'd of a State, intended for a Monarchy, and which, as Almanacks Calculated for one Meridian are made in some sort to serve for another, is by them continued in these several *Aristocracies*) may last for a time, till Peace and Security, together with the abuse which is like to happen in the choice of the *Herne*, when they shall Elect persons of small note into their Body, upon Vacancies, for Kindred or Relation, rather than such as are of Estate and eminency, or that otherwise abuse their power in the execution of it, and then it is believed,

lieved, and reasonably enough, that those People (great in Wealth, and very acute in the Knowledge of their own Interest) will find out a better Form of Government, or make themselves a prey to some great Neighbour-Prince in the attempting it; and this in case they in the mean time escape Conquest from this great and powerful King of *France*, who at this time gives Law to Christendom. I have nothing now left to keep me from the Modern Monarchies, but the most famous Commonwealth of *Venice*, of which it would be presumption for me to say any thing whilst you are present.

Noble Ven. You may very safely go on if you please; for I believe Strangers understand the Speculative part of our Government, better than we do; and the Doctrine of the Ballot which is our chief excellency; For I have had many Descriptions of our Frame, which have taught me something in it which I knew not before; particularly, *Donato Gianotti* the *Florentine*, to whom I refer those who are curious to know most of our Orders, for we that manage the Mechanical part of the Government are like
Horses

Horses who know their Track well enough, without considering *East* or *West*, or what business they go about. Besides, it would be very tedious, and very needless, to make any Relation of our Model, with the several Councils that make it up, and would be that which you have not done in Treating of any other Government: what we have said is enough to shew what beginning we had, and that serves your turn, for we who are called Nobility, and who manage the State, are the Descendents of the first Inhabitants, and had therefore been a *Democracy*, if a numerous Flock of Strangers (who were contented to come and live amongst us as Subjects) had not swelled our City, and made the Governing party seem but a handful; so that we have the same Foundations that all other *Aristocracies* have, who Govern but one City, and have no Territory but what they Govern Provincially; and our People not knowing where to have better Justice, are very well contented to live amongst us, without any share in the Managing of Affairs; yet we have power to Adopt whom we please into
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our Nobility, and I believe that in the time of the *Roman* greatness, there were five for one of the Inhabitants who were written in no Tribe, but look'd upon as Strangers, and yet that did not vitiate their *Democracy*, no more than our Citizens and common People can hurt our *Optimacy*; all the difficulty in our Administration, hath been to regulate our own Nobility, and to bridle their faction and ambition, which can alone breed a Disease in the Vital part of our Government, and this we do by most severe Laws, and a very vigorous execution of them.

Doct. Sir, I was thinking to Interpose concerning the Propriety of Lands in the Territory of *Padua*, which I hear is wholly in the possession of the Nobility of *Venice*.

Noble Ven. Our Members have very good Estates there, yet nothing but what they have paid very well for, no part of that Country, or of any other Province, having been shar'd amongst us as in other Conquests: 'Tis true that the *Paduans* having ever been the most revengful People of *Italy*, could not be deterr'd from

from those execrable and treacherous Murders which were every day committed, but by a severe Execution of the Laws as well against their Lives as Estates : And as many of their Estates as were Confiscated, were (during our necessities in the last War with the *Turks*) exposed to sale, and sold to them that offered most, without any consideration of the persons purchasing ; But it is very true that most of them came into the hands of our Nobility, they offering more than any other , by reason that their sober and frugal living, and their being forbidden all manner of Traffique, makes them have no way of Employing their Money which proceeds from their Parsimony, and so they can afford to give more than others who may Employ their Advance to better profit elsewhere. But I perceive, *Doctor*, by this Question, that you have studied at *Padua*.

Doct. No really, Sir, the small learning I have was acquired in our own University of *Oxford*, nor was I ever out of this Island.

Noble. Ven. I would you had, Sir, for it would have been a great honour to

our Country to have contributed any thing towards so vast a knowledge as you are possessor of: But I wish more that it were your Country, or at least the place of your Habitation, that so we might partake not only of your excellent Discourse sometimes, but be the better for your skill, which would make us Immortal.

Doct. I am glad to see you so well that you can make your self merry, but I assure you I am very well here; *England* is a good wholesome Climate for a Physician: But, pray let our Friend go on to his Modern Monarchies.

Eng. Gent. That is all I have now to do: Those Monarchies are two, Absolute, and Mixt; for the first kind, all that we have knowledge of, except the Empire of the *Turks*, differ so little from the ancient Monarchies of the *Assyrians* and *Persians*, that having given a short Description of them before, it will be needless to say any more of the *Persian*, the *Mogull*, the King of *Pegu*, *China*, *Prestor-John*, or any other the great Men under those Princes, as the *Satrapes* of old; being made so only by their being employ-

employed and put into great places and Governments by the Sovereign ; but the Monarchy of the Grand Seignior is something different ; they both agree in this, that the Prince is in both absolute Proprietor of all the Lands, (excepting in the Kingdom of *Egypt*, of which I shall say something anon) but the diversity lies in the Administration of the Property ; the other Emperours as well Ancient as Modern using to manage the Revenue of the several Towns, and Parishes, as our Kings, or the Kings of *France* do ; that is, keep it in their hands, and Administer it by Officers : And so you may read that *Xerxes* King of *Persia* allowed the Revenue of so many Villages to *Themistocles*, which Assignations are practised at this day, both to publick and private uses, by the present Monarchs. But the *Turks*, when they invaded the broken Empire of the *Arabians*, did not at first make any great alteration in their Policy, till the House of *Ottoman* the present Royal Family did make great Conquests in *Asia*, and afterwards in *Greece*, whence they might possibly bring their present way of dividing their conquered

Territories; for they took the same course which the *Goths* and other Modern People had used with their Conquered Lands in *Europe*, upon which they planted Military Colonies, by dividing them amongst the Souldiers for their pay or maintenance. These shares were called by them *Timarr's*, which signifies *Benefices*, but differ'd in this only from the *European* Knights Fees, that these last Originally were Hereditary, and so Property was maintained, whereas amongst the *Ottomans*, they were meerly at will; and they enjoyed their shares whilst they remain'd the *Sultan's* Souldiers, and no longer; being turn'd out both of his Service, and of their *Timarr's*, when he pleases. This doubtless had been the best and firmest Monarchy in the World, if they could have stay'd here, and not had a Mercenary Army besides, which have often (like the *Prætorians* in the time of the *Roman* Tyrants) made the Palace and the Serraglio the Shambles of their Princes; whereas if the *Timariots*, aswell *Spahis* or Horse, as Foot, had been brought together to Guard the Prince by Courses (as they used to do King *David*)

vid) as well as they are to Fight for the Empire ; this horrid flaw and inconvenience in their Government had been wholly avoided. For though these are not planted upon entire Property as *David's* were, (those being in the nature of Trained-Bands) yet their remoteness off their Habitations from the Court, and the Factions of the great City, and their desire to repair home, and to find all things quiet at their return, would have easily kept them from being infected with that cursed disease of Rebellion against their Sovereign, upon whose favour they depend for the continuance of their livelihood: Whereas the *Janizaries* are for life, and are sure to be in the same Employment under the next Successor ; so sure, that no Grand Seignior can, or dares go about to Disband them, the suspicion of intending such a thing having caused the death of more than one of their Emperours. But I shall go to the limited Monarchies.

Doct. But pray, before you do so, Inform us something of the *Roman* Emperours ; Had they the whole Dominion or Property of the Lands of *Italy* ?

Eng. Gent. The *Roman* Emperours I reckon amongst the Tyrants, for so amongst the *Greeks* were called those Citizens who usurpt the Governments of their Commonwealths, and maintain'd it by force, without endeavouring to Found or Establish it, by altering the Property of Lands, as not imagining that their Children could ever hold it after them, in which they were not deceived: So that it is plain that the *Roman* Empire was not a natural but a violent Government. The reasons why it lasted longer than ordinarily Tyrannies do, are many; First, because *Augustus* the first Emperour kept up the Senate, and so for his time cajold them with this bait of Imaginary Power, which might not have sufficed neither to have kept him from the fate of his Uncle, but that there had been so many Revolutions and Bloody Wars between, that all Mankind was glad to repose and take breath for a while under any Government that could protect them. And he gain'd the service of these Senators the rather, because he suffered none to be so but those who had followed his Fortune in the several
Civil

Civil Wars, and so were engaged to support him for their own preservation ; Besides, he confiscated all those who had at any time been proscribed, or fr-
 ded in any Encounter against him ; which, considering in how few hands the Lands of *Italy* then were, might be an over-balance of the Property in his hands. But this is certain, that what ever he had not in his own possession, he disposed of at his pleasure, taking it away, as also the lives of his People, without any judicial proceedings, when he pleased : That the Confiscations were great, we may see by his planting above sixty thousand Souldiers upon Lands in *Lombardy* ; That is, erecting so many *Beneficia*, or *Timarr's*, and, if any Man's Lands lay in the way, he took them in for Neighbourhood, without any delinquency. *Mantua vae miseræ nimium vicina Cremonæ*. And it is very evident that if these *Beneficia* had not afterwards been made Hereditary, that Empire might have had a stabler Foundation , and so a more quiet and orderly progress than it after had ; for the Court Guards, call'd the Prætorians, did make such havock of

their Princes, and change them so often, that this (though it may seem a Paradox) is another reason why this Tyranny was not ruin'd sooner ; for the People, who had really an Interest to endeavour a change of Government, were so prevented by seeing the Prince, whom they designed to supplant, removed to their hand, that they were puzzled what to do, taking in the mean time great recreation to see those wild Beasts hunted down themselves, who had so often prey'd upon their Lives and Estates ; besides that, most commonly the frequent removes of their Masters, made them scarce have time to do any mischief to their poor oppressed Subjects in particular, though they were all Slaves in General. This Government of the later *Romans* is a clear Example of the truth and efficacy of these Politick Principles we have been discoursing of. First, that any Government (be it the most unlimited and arbitrary Monarchy) that is placed upon a right Basis of Property, is better both for Prince and People, than to leave them a seeming Property, still at his devotion, and then for want of fixing the Foundation,

tion, expose their Lives to those dangers and hazzards with which so many Tumults and Insurrections, which must necessarily happen, will threaten them daily : And in the next place, that any violent constraining of mankind to a subjection, is not to be called a Government, nor does salve either the Politick or Moral ends, which those eminent Legislators amongst the Ancients proposed to themselves, when they set Rules to reserve the quiet and peace, as well as the plenty prosperity and greatness of the People ; but that the Politicks or Art of Governing is a Science to be learned and studied by Counsellors and Statesmen, be they never so great ; or else Mankind will have a very sad condition under them, and they themselves a very perplexed and turbulent life , and probably a very destructive and precipitous end of it.

Doct. I am very glad I gave occasion to make this Discourse ; now I beseech you, before you go to the mixt Monarchies, not to forget *Egypt*.

Eng.

Eng. Gent. 'Twas that I was coming to, before you were pleased to interrogate me concerning the *Roman* Empire. The *Egyptians* are this day, for ought I know, the only People that enjoy Property, and are Governed as a Province by any of the Eastern absolute Princes. For whereas *Damasco*, *Aleppo*, and most of the other Cities and Provinces of that Empire, whose Territory is divided into *Timarr's*, are Governed by a Bashaw, who for his Guards has some small number of Janizaries or Souldiers; the Bashaw of *Egypt*, or of Grand *Cairo*, has ever an Army with him; and divers Forts are erected, which is the way *European* Princes use in Governing their Provinces, and must be so where Property is left entire, except they plant Colonies as the *Romans* did. The reason why *Selim*, who broke the Empire of the *Mamalukes*, and conquered *Egypt*, did not plant *Timarr's* upon it, was the Laziness and Cowardliness of the People, and the great Fruitfulness of the Soil, and Deliciousness of the Country, which has mollifi'd and rendred effeminate all the Nations that ever did Inhabit it. So that

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A resolution was taken to impose upon them, first the maintaining an Army by a Tax, and then to pay a full half of all the Fruits and product of their Lands (to the Grand Seignior) which they are to Cultivate and Improve: This is well managed by the Bashaws and their Officers, and comes to an incredible sum; the goods being sold, the Money is conveyed *in specie* to the Port, and is the greatest part of that Prince's Revenue. And it is believed, that if all the Lands had been entirely confiscated, and that the Grand Seignior had managed them by his Officers, he would not have made a third part so much of the whole, as he receives now annually for one half; not only because those People are extreamly industrious where their own profit is concerned: but for that, it is clear, if they had been totally divested of their Estates, they would have left their Country, and made that which is now the most populous Kingdom of the World, a Desert, as is all the rest of the *Turkish* Dominions, except some Cities. And if the People had removed as they did elsewhere, there would not only have

have wanted hands to have Cultivated and Improv'd the Lands, but mouths to consume the product of it ; so that the Princes Revenue by the cheapness of Vi-ctual, and the want of Labourers, would have almost fallen to nothing.

Noble Ven. Pray God this be not the reason that this King of *France* leaves Property to his Subjects; for certainly he hath taken example by this Province of *Egypt*, his Subjects having a Tax (which for the continuance of it, I must call a Rent or Tribute) Impos'd upon them to the value of one full half of their Estates, which must ever increase as the Lands improve.

Eng. Gent. I believe, Sir, there is another reason ; For the Property there, being in the Nobility and Gentry, which are the hands by which he manages his Force both at home and abroad, it would not have been easie or safe for him to take away their Estates. But I come to the limited Monarchies. They were first Introduced (as was said before) by the *Goths*, and other Northern People. Whence those great swarms came, as it was unknown to *Procopius* himself, who

liv'd in the time of their Invasion, and
 who was a diligent searcher into all
 the circumstances of their concernments;
 so it is very needless for us to make any
 enquiry into it, thus much being clear,
 That they came Man, Woman, and Child,
 and conquer'd and possess'd all these
 parts of the World, which were then
 subject to the *Roman* Empire, and since
 Christianity came in have been so to
 the Latine Church, till honest *John Calvin*
 taught some of us the way how to deliver
 our selves from the Tyrannical Yoak,
 which neither we nor our Forefathers
 were able to bear. Whence those Peo-
 ple had the Government they Establish'd
 in these parts after their Conquest,
 that is, whether they brought it from
 their own Country, or made it them-
 selves, must needs be uncertain, since
 their Original is wholly so; but it seems
 very probable that they had some ex-
 cellent persons among them, though
 the ignorance and want of learning in
 that Age hath not suffered any thing to
 remain that may give us any great light;
 for it is plain, that the Government they
 settled, was both according to the exact
 Rules

Rules of the Politicks, and very natural and suitable to that Division they made of their severall Territories. Whenever then these Invaders had quieted any Province, and that the People were driven out or subdued, they divided the Lands, and to the Prince they gave usually a tenth part, or thereabouts; to the great Men, or *Comites Regis* (as it was translated into Latine) every one (as near as they could) an equal share. These were to enjoy an Hereditary right in their Estates, as the King did in his part and in the Crown; but neither he, nor his Peers or Companions, were to have the absolute disposal of the Lands so allotted them, but were to keep a certain proportion to themselves for their use: and the rest was ordered to be divided amongst the Free-men, who came with them to Conquer. What they kept to themselves was called *Demefnes* in *English* and *French*, and in *Italian*, *Beni Allodiati*. The other part which they granted to the Free-men, was called a *Feud*: and all these Estates were held of these Lords Hereditarily, only the Tenants were to pay a small
Rent

Rent annually, and at every Death or Change an acknowledgment in Money, and in some Tenures the best Beast besides : But the chief condition of the *Feud* or Grant, was, that the Tenant should perform certain Services to the Lord, of which one (in all Tenures of Free-men) was to follow him Armed to the Wars for the Service of the Prince and Defence of the Lands. And upon their admittance to their *Feuds*, they take an Oath to be true Vassals and Tenants to their Lords, and to pay their Rents, and perform their Services, and upon failure to forfeit their Estates; and these Tenants were divided according to their Habitations into several Mannors, in every one of which there was a Court kept twice every year, where they all were to appear, and to be admitted to their several Estates, and to take the Oath above mentioned. All these Peers did likewise hold all their Demesnes, as also all their Mannors, of the Prince; to whom they swore Allegiance and Fealty: There were besides these Free-men or Francklins, other Tenants to every Lord, who were called Villains,

who

who were to perform all servile Offices; and their Estates were all at the Lords disposal when he pleased; these consisted mostly of such of the former Inhabitants of these Countries, as were not either destroyed or driven out, and possibly of others who were servants amongst them, before they came from their own Countries. Perhaps thus much might have been unnecessary to be said, considering that these Lords, Tenants, and Courts, are yet extant in all the Kingdoms in *Europe*, but that to a Gentleman of *Venice*, where there are none of these things, and where the *Goths* never were, something may be said in excuse for me.

Noble Ven. 'Tis true, Sir, we fled from the *Goths* betimes, but yet in those Countries which we recovered since in *Terra firma*, we found the footsteps of these Lords, and Tenures, and their Titles of Counts; though being now Provinces to us, they have no influence upon the Government, and suppose you are about to prove they have in these parts.

Eng.

Eng. Gent. You are right, Sir; for the Governments of *France, Spain, England*, and all other Countries where these People settled were fram'd accordingly. It is not my business to describe particularly the distinct Forms of the several Governments in *Europe*, which do derive from these People (for they may differ in some of their Orders and Laws, though the Foundation be in them all the same) this would be unnecessary, they being all extant, and so well known; and besides little to my purpose, excepting to shew where they have declined from their first Institution and admitted of some change. *France*, and *Poland*, have not, nor as I can learn, ever had any Free-men below the Nobility; that is, had no Yeomen; but all are either Noble, or Villains, therefore the Lands must have been Originally given as they now remain, into the hands of these Nobles. But I will come to the Administration of the Government in these Countries, and first say wherein they all agree, or did at least in their Institution, which is, That the Sovereign power is in the States assembled

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toget-

together by the Prince, In which he pre-
sides; these make Laws, Levy Money,
Redress Grievances, punish great Offi-
cers, and the like. These States consist
in some places of the Prince and Nobil-
ity only, as in *Poland*, and anciently
in *France* (before certain Towns for the
encouraging of Trade, procured Privi-
ledges to send Deputies; which Depu-
ties are now called the third Estate) and
in others consist of the Nobility and
Commonalty, which latter had and still
have the same right to Intervene and
Vote, as the great ones have both in *Eng-
land, Spain*, and other Kingdomes.

Doct. But you say nothing of the
Clergy, I see you are no great friend to
them, to leave them out of your Poli-
ticks.

Eng. Gent. The truth is, *Doctor*, I
could wish there had never been any,
the purity of Christian Religion, as also
the good and orderly Government of the
World, had been much better provided for
without them, as it was in the Apostolical
time, when we heard nothing of Cler-
gy. But my omitting their Reverend
Lordships was no neglect, for I meant
to

to come to them in order; for you know that the Northern People did not bring Christianity into these parts, but found it here, and were in time converted to it, so that there could be no Clergy at the first; but if I had said nothing at all of this Race, yet I had committed no Solecisme in the Politicks; for the Bishops and great Abbots intervene in the States here, upon the same Foundation that the other Peers do, *viz.* for their great possessions, and the dependence their Tenants and Vassals have upon them; although they being a People of that great sanctity and knowledg, scorn to intermix so much as Titles with us profane Lay Ideots, and therefore will be called Lords Spiritual: But you will have a very venerable opinion of them, if you do but consider how they came by these great possessions, which made them claim a third part of the Government. And truly not unjustly by my rule, for I believe they had not less (at one time) than a third part of the Lands in most of these Countries.

Noble Ven. Pray, how did they acquire these Lands? was it not here by the Charitable donation of pious Christians, as it was elsewhere?

Eng. Gent. Yes, certainly, very pious men; some of them might be well meaning people, but still such as were cheated by these holy men, who told them perpetually, both in publick and private, that they represented God upon Earth, being Ordained by Authority from him who was his Viceroy here, and that what was given to them was given to God, and he would repay it largely both in this World and the next. This wheedle made our barbarous Ancestors, newly Instructed in the Christian Faith (if this Religion may be called so, and sucking in this foolish Doctrine more than the Doctrine of Christ) so zealous to these Vipers, that they would have pluckt out their eyes to serve them, much more bestow, as they did, the fruitfulest and best situate of their possessions upon them: Nay, some they perswaded to take upon them their Callings, vow Chastity, and give all they had to them, and become one of them, amongst whom,
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I believe, they found no more sanctity than they left in the World. But this is nothing to another trick they had, which was to insinuate into the most notorious, and execrable Villains, with which that Age abounded; Men, who being Princes, and other great Men (for such were the Tools they work'd with) had treacherously poisoned, or otherwise murdered their nearest Relations, Fathers, Brothers, Wives, to reign, or enjoy their Estates; These they did persuade into a belief, that if they had a desire to be sav'd, notwithstanding their execrable Villanies, they need but part with some of those great possessions (which they had acquired by those acts) to their Bishopricks or Monasteries, and they would pray for their Souls, and they were so holy and acceptable to God, that he would deny them nothing; which they immediately performed, so great was the ignorance and blindness of that Age; and you shall hardly find in the story of those times, any great Monastery, Abbey, or other Religious House in any of these Countries (I speak confidently, as to what concerns our

own Saxons) that had not its Foundation from some such Original.

Doct. A worthy beginning of a worthy Race!

Eng. Gent. Well, this Digression is not without its use, for it will shorten our business (which is grown longer than I thought it would have been) for I shall mention the Clergy no more, but when ever I speak of Peerage, pray take notice that I mean both Lords Spiritual and Temporal, since they stand both upon the same foot of Property. But if you please, I will fall immediately to Discourse of the Government of *England*, and say no more of those of our Neighbours, than what will fall in by the way, or be hinted to me by your Demands, for the time runs away, and I know the *Doctor* must be at home by noon, where he gives daily charitable audience to an Infinity of poor people, who have need of his help, and who send or come for it, not having the confidence to send for him, since they have nothing to give him, though he be very liberal too of his Visits to such, where he has any knowledge of them: But I spare

spare his Modesty, which I see is concerned at the Just Testimony I bear to his Charity. The Sovereign Power of *England* then, is in King, Lords, and Commons; The Parliaments, as they are now constituted, that is the assigning a choice to such a Number of burroughs, as also the manner and form of Elections and Returns, did come in, as I suppose, in the time of *Henry* the Third, where now our Statute-Book begins; and I must confess, I was inclined to believe, that before that time, our Yeomenry or Commonalty had not formally assembled in Parliament, but been virtually included, and represented by the Peers, upon whom they depended: But I am fully convinced, that it was otherwise, by the learned Discourses lately publisht by Mr. *Petit* of the *Temple*, and Mr. *Attwood* of *Grays-Inn*, being Gentlemen whom I do mention *honoris causa*, and really they deserve to be honour'd, that they will spare some time from the Mechanical part of their Callings (which is to assist Clients with Counsel, and to plead their Causes, and which I acknowledge likewise to be

honourable) to study the true Interest of their Country, and to shew how ancient the Rights of the People in *England* are, and that in a time when neither Profit nor Countenance can be hop'd for from so ingenious an undertaking. But I beg pardon for the deviation. Of the three branches of Sovereign Power which Politicians mention, which are Enacting Laws, Levying of Taxes, and making War and Peace, the two first of them are indisputably in the Parliament, and when I say Parliament, I ever intend with the King; The last has been usually exercis'd by the Prince, if he can do it with his own Money, yet because even in that Case it may be ruinous to the Kingdom, by exposing it to an Invasion, many have affirmed that such a Power cannot be by the true and ancient free Government of *England*, supposed to be Intrusted in the hands of one man: And therefore we see in divers Kings Reigns, the Parliament has been Consulted, and their advice taken in those matters that have either concerned War or Leagues; And that if it has been omitted, Addresses have been
made

made to the King by Parliaments, either to make War or Peace, according to what they thought profitable to the publick. So that I will not determine whether that power which draws such consequences after it, be by the genuine sense of our Laws in the Prince or no; although I know of no Statute or written Record which makes it otherwise. That which is undoubtedly the Kings Right, or Prerogative, is to Call and Dissolve Parliaments, to preside in them, to approve of all Acts made by them, and to put in Execution, as Supream or Sovereign Magistrate, in the Intervals of Parliaments, and during their Sitting, all Laws made by them, as also the Common Law, for which Cause he has the nomination of all Inferiour Officers, and Ministers under him, excepting such as by Law or Charter are eligible otherwise; and the Power of the Sword, to force Obedience to the Judgments given both in Criminal and Civil Causes.

Doct. Sir, You have made us a very absolute Prince, what have we left us, if the King have all this Power? what do our Liberties or Rights signifie whenever he pleases?

Eng.

Eng. Gent. This Objection, *Doctor*, makes good what I said before, that your skill did not terminate in the body natural, but extend to the Politick; for a more pertinent Interrogatory could never have been made by *Plato*, or *Aristotle*: In answer to which, you may please to understand, That when these Constitutions were first made, our Ancestors were a plain-hearted, well-meaning People, without Court-reserves or tricks, who having made choice of this sort of Government, and having Power enough in their hands to make it take place, did not foresee, or imagine, that any thoughts of Invading their Rights could enter into the Princes Head; nor do I read that it ever did, till the *Norman* Line came to Reign; which coming in by Treaty, it was obvious there was no Conquest made upon any but *Harold*, in whose stead *William* the First came, and could claim no more after his Victory, than what *Harold* enjoy'd, excepting that he might confiscate (as he did) those great men who took part with the wrong Title, and *French-men* were put into their Estates, which though
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it made in this Kingdom a mixture between *Normans* and *Saxons*, yet produced no Change or Innovation in the Government; the *Norman* Peers being as tenacious of their Liberties, and as active in the recovery of them to the full, as the *Saxon* Families were. Soon after the death of *William*, and possibly in his time, there began some Invasions upon the Rights of the Kingdom, which begat Grievances, and afterwards Complaints and Discontents, which grew to that height, that the Peers were fain to use their Power, that is, Arm their Vassals to defend the Government; whilst the Princes of that Age, first King *John*, and then *Henry* the Third, got Force together. The Barons call'd in *Lewis* the Dauphin, whilst the King would have given away the Kingdom to the *Sarazens*, as he did to the Pope, and armed their own Creatures; so that a bloody War ensued, for almost forty years, off and on; as may be read in our History: The success was, that the Barons or Peers obtained in the close two Charters or Laws for the ascertaining their Rights, by which neither their

Lives

Lives, Liberties, or Estates, could ever be in danger any more from any Arbitrary Power in the Prince; and so the good Government of *England*, which was before this time like the Law of Nature, only written in the hearts of Men, came to be exprest in Parchment, and remain a Record in Writing; though these Charters gave us no more than what was our own before: After these Charters were made, there could not chuse but happen some encroachment upon them; but so long as the Peers kept their greatness, there was no breaches but what were immediately made up in Parliament; which when-ever they assembled, did in the first place confirm the Charters, and made very often Interpretations upon them, for the benefit of the People, witness the Statute *de Tallagio non concedendo*, and many others: But to come nearer the giving the *Doctor* an answer, you may please to understand, that not long after the framing of these forementiond Charters, there did arise a Grievance not foreseen or provided for by them; and it was such an one that had beaten
down

down the Government at once, if it had not been Redressed in an Orderly way. This was the Intermission of Parliaments, which could not be called but by the Prince; and he not doing of it, they ceast to be Assembled for some years; if this had not been speedily remedied, the Barons must have put on their Armour again; for who can Imagine that such brisk Assertors of their Rights could have acquiesced in an Omission that ruin'd the Foundation of the Government, which consisting of King, Lords, and Commons, and having at that time Marched near Five hundred years upon three Leggs, must then have gone on hopping upon one, which could it have gone forward (as was impossible whilest Property continued where it was) yet would have rid but a little way: Nor can it be wonder'd at, that our great Men made no provision against this Grievance in their Charters, because it was impossible for them to imagine that their Prince, who had so good a share in this Government, should go about to destroy it, and to take that burden upon himself, which
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by our Constitution was undeniably to be divided between him and his Subjects: And therefore divers of the great Men of those times speaking with that excellent Prince King *Edward* the First about it; he, to take away from his People all fear and apprehension that he intended to change the Ancient Government, called speedily a Parliament, and in it consented to a Declaration of the Kingdoms Right in that point; without the clearing of which all our other Laws had been useless, and the Government it self too; of which the Parliament is (at the least) as Essential a part as the Prince; so that there passed a Law in that Parliament that one should be held every year, and oftner if need be, which like another *Magna Charta*, was confirmed by a new Act made in the time of *Edward* the Third, that glorious Prince: nor were there any Sycophants in those days, who durst pretend Loyalty by using Arguments to prove, that it was against the Royal Prerogative, for the Parliament to entrench upon the Kings Right of calling and Dissolving of Parliaments; as if there were a Pre-
rogative

rogative in the Crown, to chuse whether ever a Parliament should assemble, or no; I would desire no more, if I were a Prince, to make me Grand Seigneur. Soon after this last Act, the King, by reason of his Wars with *France*, and *Scotland*, and other great Affairs, was forced sometimes to end his Parliaments abruptly, and leave business undone, (and this not out of Court-tricks, which were then unknown) which produced another Act not long after, by which it was provided, That no Parliament should be dismiss'd, till all the Petitions were answered; That is, in the Language of those times, till all the Bills (which were then stiled Petitions) were finished.

Doct. Pray, Sir, give me a little account of this last Act you speak of; for I have heard in Discourse from many Lawyers, that they believe there is no such.

Eng. Gent. Truly, Sir, I shall confess to you, that I do not find this Law in any of our Printed Statute-Books; but that which first gave me the knowledge of it was, what was said about
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three years ago in the House of Commons, by a worthy and Learned Gentleman, who undertook to produce the Record in the Reign of *Richard* the Second, and since I have questioned many Learned Counsellors about it, who tell me there is such a one; and one of them, who is counted a Prerogative Lawyer, said it was so, but that Act was made in Factious times. Besides, I think it will be granted, that for some time after, and particularly in the Reigns of *Henry* the 4th. *Henry* the 5th. and *Henry* the 6th. it was usual for a Proclamation to be made in *Westminster-Hall*, before the end of every Session, that all those that had any matter to present to the Parliament, should bring it in before such a day, for otherwise the Parliament at that day should determine. But if there were nothing at all of this, nor any Record extant concerning it; yet I must believe that it is so by the Fundamental Law of this Government, which must be lame and imperfect without it; for it is all one to have no Parliaments at all but when the Prince pleases, and to allow a power in him
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to dismiss them when he will, that is, when they refuse to do what he will; so that if there be no Statute, it is certainly because our wise Ancestors thought there needed none, but that by the very Essence and Constitution of the Government it is provided for: and this we may call (if you had rather have it so) the Common-Law, which is of as much value (if not more) than any Statute, and of which all our good acts of Parliament and *Magna Charta* it self is but Declaratory; so that your Objection is sufficiently answered in this, That though the King is intrusted with the formal part of summoning and pronouncing the Dissolution of Parliaments, which is done by his Writ, yet the Laws (which oblige him as well as us) have determin'd how and when he shall do it; which is enough to shew, that the Kings share in the Sovereignty, that is, in the Parliament, is cut out to him by the Law, and not left at his disposal. Now I come to the Kings part in the Intervals of Parliament.

Noble Ven. Sir, before you do so, pray tell us what other Prerogatives the King enjoys in the Government; for otherwise, I who am a *Venetian*, may be apt to think that our Doge, who is call'd our Prince, may have as much Power as yours.

Eng. Gent. I am in a fine condition amongst you with my Politicks: the *Doctor* tells me I have made the King Absolute, and now you tell me I have made him a Doge of *Venice*; But when your Prince has Power to dispose of the Publick Revenue, to name all Officers Ecclesiastical and Civil, that are of trust and profit in the Kingdome, and to dispose absolutely of the whole Militia by Sea and Land, then we will allow him to be like ours, who has all these Powers.

Doct. Well, you puzzle me extreamly; for when you had asserted the King's Power to the heighth, in Calling and Dissolving Parliaments, you gave me such satisfaction, and shewed me where in the Law had provided, that this vast Prerogative could not hurt the People, that I was fully satisfied, and had not a word to say; Now you come about again, and
place

place in the Crown such a Power, which in my Judgment is inconsistent with our Liberty.

Eng. Gent. Sir, I suppose you mean chiefly the Power of the Militia, which was, I must confess, doubtful, before a late Statute declar'd it to be in the King: For our Government hath made no other disposal of the Militia than what was natural, *viz.* That the Peers in their several Counties, or Jurisdictions, had the Power of calling together their Vassals, either armed for the Wars, or only so as to cause the Law to be executed by serving Writs, and in case of resistance, giving possession: which Lords amongst their own Tenants did then perform the two several Offices of Lord Lieutenant, and Sheriff; which latter was but the Earles Deputy, as by his Title of *Vice-Comes* do's appear. But this later being of daily necessity, and Justice it self, that is, the Lives, Liberties and Estates of all the People in that County depending upon it, when the greatness of the Peers decay'd (of which we shall have occasion to speak hereafter) the Electing of Sheriff was referred to the

County-Court, where it continued till it was placed where it now is by a Statute; for the other part of the Militia, which is, the Arming the People for War, it was *de facto* exercised by Commission from the King, to a Lord Lieutenant (as an image of the Natural Lord) and other Deputies, and it was tacitely consented to, though it were never settled by Statute (as I said before) till His Majesties happy Restauration; but to answer you, I shall say, That whatever Powers are in the Crown, whether by Statute or by old Prescription, they are, and must be understood to be intrusted in the Prince, for the preservation of the Government, and for the safety and interest of the People; and when either the Militia, which is given him for the execution and support of the Law, shall be employ'd by him to subvert it (as in the case of Ship-Money it was) or the Treasure shall be mis-apply'd, and made the Revenue of Courtiers and Sycophants (as in the time of *Edward* the Second) or worthless or wicked People shall be put into the greatest places, as in the reign of *Richard* the Second. In this case,
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though the Prince here cannot be questionable for it (as the Kings were in *Sparta*, and your Doges I believe would be) yet it is a great violation of the trust reposed in him by the Government, and a making that Power, which is given him by Law, unlawful in the Execution. And the frequent examples of Justice inflicted in Parliament upon the King's Ministers for abusing the Royal Power, shews plainly that such authority is not left in his hands to use as he pleases; Nay, there have befallen sad troubles and dangers to some of these Princes themselves, who have abused their Power to the prejudice of the Subjects; which although they are no way justifiable, yet may serve for an Instruction to Princes, and an example not to hearken to ruinous Councils; for men when they are enraged do not always consider Justice of Religion, passion being as natural to man as reason and vertue, which was the Opinion of divine *Machiavil*: To answer you then. I say, That though we do allow such Powers in the King, yet since they are given him for edification and not destruction,

struction, and cannot be abused without great danger to his Ministers, and even to himself ; we may hope that they can never be abused but in a broken Government : And if ours be so (as we shall see anon) the fault of the ill execution of our Laws is not to be imputed either to the Prince or his Ministers; excepting that the latter may be as we said before justly punishable for not advising the Prince to consent to the mending the frame, of which we shall talk more hereafter : But in the mean time I will come to the Kings other Prerogatives, as having all Royal Mines , the being serv'd first before other Creditors where Money is due to him , and to have a speedier and easier way then his Subjects to recover his Debts and his Rents, &c. But to say all in one word, when there arises any doubt whether any thing be the King's Prerogative or no, this is the way of deciding it, *viz.* To consider whether it be for the good and protection of the People that the King have such a Power ; For the definition of Prerogative is a considerable part of the Common Law, by which

Power

Power is put into the Prince for the preservation of his People. And if it be not for the good of his Subjects, it is not Prerogative, not Law, for our Prince has no Authority of his own, but what was first intrusted in him by the Government, of which he is Head ; nor is it to be imagined that they would give him more Power than what was necessary to Govern them ; For example, the Power of pardoning Criminals condemned, is of such use to the Lives and Estates of the People, that without it many would be exposed to die unjustly ; As lately a poor Gentleman, who by means of the Harangue of a Strepitous Lawyer, was found guilty of Murder, for a Man he never kil'd, or if he had, the fact had been but Man-slaughter ; and he had been inevitably murdered himself, if his Majesty had not been graciously pleased to extend his Royal Mercy to him ; As he did likewise vouchsafe to do to a Gentleman convicted for speaking words he never utter'd, or if he had spoken them, they were but foolishly, not maliciously spoken. On the other side, if a Controversie should arise, as it did in the

beginning of the last Parliament, between the House of Commons and the Prerogative Lawyers, about the choice of their Speaker, these latter having interested his Majesty in the Contest, and made him, by consequence, disoblige *in limine*, a very Loyal, and a very Worthy Parliament; and for what? for a Question, which if you will decide it the right way, will be none: for setting aside the Presidents, and the History when the Crown first pretended to any share in the Choice of a Speaker, which Argument was very well handled by some of the Learned Patriots then, I would have leave to ask, what man can shew, and what reason can be alledged, why the protection and welfare of the People should require that a Prerogative should be in the Prince to chuse the Mouth of the House of Commons, when there is no particular person in his whole Dominion that would not think it against his interest? If the Government had given the King Power to nominate his Bayliff, his Attorney, or his Referree in any arbitration, certainly there can be no advantage either to the Sovereign or his

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Subjects, that the person whose Office it is to put their deliberations into fitting words, and express all their requests to his Majesty, should not be entirely in their own Election and appointment, which there is the more reason for too, because the Speakers for many years past have received Instructions from the Court, and have broken the Priviledges of the House, by revealing their Debates, Adjourning them without a Vote, and committed many other Misdemeanours, by which they have begotten an ill understanding between the King and his House of Commons, to the infinite prejudice both of his Majesties Affairs, and his People. Since I have given this rule to Judge Prerogative by, I shall say no more of it; for as to what concerns the King's Office in the Intervals of Parliament, it is wholly Ministerial, and is barely to put in Execution the Common Law and the Statutes made by the Sovereign Power, that is, by Himself and the Parliament, without varying one tittle, or suspending, abrogating, or neglecting the Execution of any Act whatsoever; and

and to this he is Solemnly Sworn at his Coronation: And all his Power in this behalf is in him by Common Law, which is Reason it self, written as well in the hearts of rational Men, as in the Lawyers Books.

Noble Ven. Sir, I have heard much talk of the King's Negative Voice in Parliaments, which in my Opinion is as much as a Power to frustrate, when he pleases, all the endeavours and labours of his People, and to prevent any good that might acruë to the Kingdom by having the right to meet in Parliament; for certainly, if we in *Venice* had placed any such Prerogative in our Duke, or in any of our Magistracies, we could not call our selves a free People.

Eng. Gent. Sir, I could answer you as I did before, that if our Kings have such a Power, it ought to be used according to the true and genuine intent of the Government, that is, for the preservation and Interest of the People, and not for the disappointing the Councils of a Parliament, towards reforming Grievances, and making provision for the future execution of the Laws; and when-

whenever it is applyed to frustrate those ends, it is a violation of Right, and infringement of the King's Coronation Oath; in which there is this Clause, That he shall *Confirmare consuetudines*, (which in the Latine of those times is *leges*) *quas vulgus elegerit*. I know some Criticks, who are rather Grammarians than Lawyers, have made a distinction between *elegerim* and *elegero*, and will have it, That the King Swears to such Laws as the People shall have chosen, and not to those they shall chuse; But in my Opinion, if that Clause had been intended only to oblige the King to execute the Laws made already, it might have been better exprest by *servare consuetudines*, than by *confirmare consuetudines*; but I shall leave this Controversie undecided; those who have a desire to see more of it, may look into those quarrelling Declarations, *pro* and *con*, about this matter, which preceded our unhappy Civil Wars. This is certain, that there are not to be found any Statutes that have passed, without being presented to his Majesty, or to some commissioned by him; but whether such Addresses were

were intended for Respect and Honour to His Majesty, as the Speaker of the House of Commons and the Lord-Mayor of *London* are brought to him, I leave to the Learned to Discourse; only thus much we may affirm, That there never were yet any Parliamentary Requests, which did highly concern the Publick, presented to his Majesty, and by him refused, but such denials did produce very dismal effects, as may be seen in our Histories ancient and late; it being certain, that both the Barons Wars, and our last dismal Combustions, proceeded from no other cause than the denial of the Princes then reigning to consent to the desires of the States of the Kingdom; and such hath been the wisdom and goodness of our present gracious Prince, that in twenty years and somewhat more, for which time we have enjoy'd him since his happy Restauration, he hath not exercis'd his Negative Voice towards more than one publick Bill; and that too, was to have continued in force (if it had passed into an Act) but for six Weeks, being for raising the Militia for so long time; and as for private Bills, which
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are matters of meer grace, it is unreasonable his Majesty should be refused that Right that every *Englishman* enjoys, which is not to be obliged to dispence his favours but where he pleases. But for this point of the Negative Vote, it is possible that when we come to Discourse of the Cure of our Political Distemper, some of you will propose the clearing and explanation of this matter, and of all others which may concern the King's Power and the Peoples Rights.

Noble Ven. But pray, Sir, have not the House of Peers a Negative Voice in all Bills? how come they not to be obliged to use it for the Publick Good?

Eng. Gent. So they are, no doubt, and the Commons too; but there is a vast difference between a deliberative Vote which the Peers have with their Negative, and that in the Crown to blast all without deliberating. The Peers are Co-ordinate with the Commons in presenting and hammering of Laws, and may send Bills down to them as well as receive any from them, excepting in matters wherein the People are to be Taxed; and in this our Government imitates

imitates the best and most perfect Commonwealths that ever were; where the Senate assisted in the making of Laws, and by their wisdom, and dexterity, polished, filed and made ready, things for the more populous Assemblies; and sometimes by their gravity and moderation, reduced the People to a calmer State, and by their authority and credit stem'd the Tide, and made the Waters quiet, giving the People time to come to themselves. And therefore if we had no such Peerage now upon the old Constitution, yet we should be necessitated to make an artificial Peerage, or Senate in stead of it: which may assure our present Lords, that though their Dependences and Power are gone, yet that we cannot be without them, and that they have no need to fear an Annihilation by our Reformation, as they suffered in the late mad times. But I shall speak a word of the Peoples Rights, and then shew how this brave and excellent Government of *England* came to decay.

The People by the Fundamental Laws, that is, by the Constitution of the Government of *England*, have entire freedom

dome in their Lives, Properties, and their Persons; neither of which can in the least suffer, but according to the Laws already made, or to be made hereafter in Parliament, and duly publisht, and to prevent any oppression that might happen in the execution of these good Laws, which are our Birth-right, all Tryals must be by twelve Men of our equals, and of our Neighbourhood; These in all Civil Causes Judge absolutely, and decide the matter of Fact, upon which the matter of Law depends; but if where matter of Law is in question, these twelve Men shall refuse to find a special Verdict at the direction of the Court, the Judge cannot Contrall it, but their Verdict must be Recorded. But of these matters, as also of Demurrers, Writs of Errour, and Arrest of Judgment, &c. I have discours'd to this Gentleman (who is a Stranger) before now; neither do's the understanding of the Execution of our Municipal Laws at all belong to this discourse: Only it is to be noted, that these Juries, or twelve Men, in all Trials or Causes which are Criminal, have absolute Power, both as to
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matter of Law and Fact (except the Party by Demurrer confess the matter of Fact, and take it out of their hands.) And the first question the Officer asks the Foreman, when they all come in to deliver their Verdict, is this, Is he Guilty in manner or form as he is Indicted, or not Guilty? Which shews plainly, that they are to Examine and Judge, as well whether, and how far the Fact committed is Criminal, as whether the person charged hath committed that Fact. But though by the Corruption of these times (the infallible consequences of a broken frame of Government) this Office of the Juries and Right of *Englishmen* have been of late question'd, yet it hath been strongly and effectually vindicated by a learned Author of late, to whom I refer you for more of this matter. I shall say no more of the Rights of the People, but this one thing, That neither the King, nor any by Authority from him, hath any the least Power or Jurisdiction over any *Englishman*, but what the Law gives them; and that although all Commissions and Writs go out in the King's name, yet his Majesty hath no right to Issue
out

out any Writ (with advice of his Council, or otherwise) excepting what come out of his Courts, nor to alter any Clause in a Writ, or add any thing to it. And if any person shall be so wicked as to do any Injustice to the Life, Liberty, or Estate, of any *Englishman*, by any private command of the Prince, the person agrieved, or his next of kin (if he be assassinated) shall have the same remedy against the Offender, as he ought to have had by the good Laws of this Land; if there had been no such Command given, which would be absolutely void and null, and understood, not to proceed from that Royal and lawful Power which is vested in his Majesty for the execution of Justice, and the protection of his People.

Doct. Now I see you have done with all the Government of *England*, pray before you proceed to the decay of it, let me ask you what you think of the Chancery, whether you do not believe it a Solecisme in the Politicks to have such a Court amongst a free People; what good will *Magna Charta*, the Petition of Right, or *St. Edwards*

Laws do us to defend our Property ; if it must be entirely subjected to the arbitrary disposal of one man, whenever any impertinent or petulant person shall put in a Bill against you: how inconsistent is this Tribunal with all that hath been said in defence of our rights, or can be said? Suppose the Prince should in time to come so little respect his own honour and the Interest of his People, as to place a covetous or revengful person in that great Judicatory, what remedy have we against the Corruption of Registers; who make what Orders they please: Or against the whole Hierarchy of Knavish Clerks, whilst not only the punishing and reforming misdemeanours depend upon him, who may without control be the most guilty himself, but that all the Laws of *England* stand there arraigned before him, and may be condemned when he pleases. Is there, or ever was there any such Tribunal in the World before, in any Country?

Eng. Gent. Doctor, I find you have had a Suit in Chancery, but I do not intend to contradict or blame your Orthodox Zeal in this point: This Court
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is one of those Buildings that cannot be repaired, but must be demollished; I could inform you how excellently matters of Equity are Administred in other Countries; And this worthy Gentleman could tell you of the venerable *Quarantia*'s in his City, where the Law as well as the Fact, is at the Bar, and subject to the Judges, and yet no complaint made or grievance suffered; but this is not a place for it, this is but the superstructure, we must settle the foundation first; every thing else is as much out of Order as this; Trade is gone, Suites are endless, and nothing amongst us harmonious, but all will come right when our Government is mended, and never before, though our Judges were all Angels; this is the *primum quærite*, when you have this, all other things shall be added unto you; when that is done, neither the Chancery (which is grown up to this since our Ancestorstime) nor the Spiritual Courts, nor the Cheats in trade, nor any other abuses, no not the Gyant Popery it self, shall ever be able to stand before a Parliament, no more than one of us can live like a Salamander in the fire.

Noble Ven. Therefore, Sir, pray let us come now to the decay of your Government, that we may come the sooner to the happy restauration.

Eng. Gent. This harmonious Government of *England* being founded as has been said upon Property, it was impossible it should be shaken, so long as Property remain'd where it was placed; for if, when the ancient Owners the *Britains* fled into the Mountains, and left their Lands to the Invaders (who divided them, as is above related) They had made an *Agrarian* Law to fix it; then our Government, and by consequence our Happiness, had been for ought we know Immortal; for our Constitution, as it was really a mixture of the three, which are *Monarchy*, *Aristocracy*, and *Democracy* (as has been said) so the weight and predominancy remain'd in the *Optimacy*, who possessed nine parts in ten of the Lands; And the Prince but about a tenth part. In this I count all the Peoples share to the Peers, and therefore do not trouble my self to enquire what proportion was allotted to them, for that although they had an Hereditary right in
their

their Lands, yet it was so clog'd with Tenures and Services, that they depended, as to publick matters, wholly on their Lords, who by them could serve the King in his Wars, and in time of Peace, by leading the People to what they pleased: Could keep the Royal Power within its due bounds, and also hinder and prevent the People from Invading the Rights of the Crown, so that they were the Bulwarks of the Government, which in effect was much more an *Aristocracy*, than either a *Monarchy*, or *Democracy*: And in all Governments, where Property is mixt, the Administration is so too: And that part which hath the greater share in the Lands, will have it too in the Jurisdiction: And so in Commonwealths, the Senate or the People have more or less Power, as they have more or fewer Possessions; as was most visible in *Rome*, where in the beginning, the *Patricii* could hardly bring the People to any thing; but afterwards, when the *Asiatick* Conquests had enricht the Nobility to that degree, that they were able to purchase a great part of the Lands in *Italy*, the People were all their Clients,

and easily brought even to cut the throats of their Redeemers the *Gracchi*, who had carried a Law for restoring them their Lands, but enough of this before. I will not trouble my self nor you, to search into the particular causes of this change, which has been made in the possessions here in *England*; But it is visible that the fortieth part of the Lands, which were at the beginning in the hands of the Peers and Church, is not there now; besides, that not only all Villanage is long since abollished, but the other Tenures are so altered and qualified, that they signifie nothing towards making the Yeomandry depend upon the Lords. The consequence is, That the natural part of our Government, which is Power, is by means of Property in the hands of the People, whilst the artificial part, or the Parchment, in which the Form of Government is written, remains the same. Now Art is a very good servant and help to Nature, but very weak and inconsiderable, when she opposes her, and fights with her; it would be a very *Impar congressus*, between Parchment and Power: This alone is the cause of all the disorder
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you heard of, and now see in *England*, and of which every man gives a reason according to his own fancy, whilst few hit the right cause; some impute all to the decay of Trade, others to the growth of Popery, which are both great Calamities, but they are Effects, and not Causes; And if in private Families there were the same causes, there would be the same effects. Suppose now you had five or six Thousand pounds a year, as it is probable you have, and keep forty Servants, and at length, by your neglect and the industry and thrift of your Domesticks, you sell one Thousand to your Steward, another to your Clerk of the Kitchen, another to your Bayliff, till all were gone, can you believe that these Servants, when they had so good Estates of their own, and you nothing left to give them, would continue to live with you, and to do their service as before? It is just so with a whole Kingdom. In our Ancestors time, most of the Members of our House of Commons, thought it an honour to retain to some great Lord, and to wear his blew Coat: And when they had made up their Lord's

Train, and waited upon him from his own House to the Lords House, and made a Lane for him to enter, and departed to sit themselves in the Lower House of Parliament, as it was then (and very justly) called; can you think that any thing could pass in such a Parliament that was not ordered by the Lords? Besides, these Lords were the King's great Council in the Intervals of Parliaments, and were called to advise of Peace and War, and the latter was seldom made without the consent of the major part; if it were not, they would not send their Tenants, which was all the Militia of *England* (besides the King's tenth part;) can it be believed, that in those days, the Commons should dislike any thing the Lords did in the Intervals, or that they would have disputed their Right to receive Appeals from Courts of Equity, if they had pretended to it in those days, or to mend Money-bills. And what is the reason, but because the Lords themselves at that time represented all their Tenants (that is, all the People) in some sort; although the House of Commons did Assemble to present their Grievances, yet
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all great Affairs of high Importance concerning the Government, was Transacted by the Lords, and the War which was made to preserve it, was called the Barons Wars, not the War of both Houses: Now if this Property, which is gone out of the Peerage into the Commons, had passed into the King's hands, as it did in *Egypt* in the time of *Joseph*, as was before said, the Prince had had a very easie and peaceable reign over his own Vassals, and might either have refused, justly, to have Assembled the Parliament any more; or if he had pleased to do it, might have for ever managed it as he thought fit: But our Princes have wanted a *Joseph*, that is a wise Counsellor, and instead of saving their Revenue, **which** was very great, and their expences small, and buying in those Purchases which the vast expences and luxury of the Lords made ready for them, they have alienated their own Inheritance; so that now the Crown Lands, that is, the publick Patrimony, is come to make up the interest of the Commons, whilst the King must have a precarious Revenue out of the Peoples Purses, and be beholding to the Parliament

ment for his Bread in time of Peace; whereas the Kings their Predecessors never asked Aid of his Subjects, but in time of War and Invasion: And this alone (though there were no other decay in the Government) is enough to make the King depend upon his People, which is no very good condition for a Monarchy.

Noble Ven. But how comes it to pass that other Neighbouring Countries are in so settled a State in respect of *England*? does their Property remain the same it was, or is it come into the hands of the Prince? You know you were pleased to admit, that we should ask you *en passant*, something of other Countries.

Eng. Gent. Sir, I thank you for it, and shall endeavour to satisfy you. I shall say nothing of the small Princes of *Germany*, who keep in a great measure their ancient bounds, both of Government and Property; and if their Princes now and then exceed their part, yet it is in time of Troubles and War, and things return into their right Chancel of Assembling the several States, which are yet in being every where: But *Germany* ly-
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ing so exposed to the Invasion of the *Turk* on the one side, and of the *French* on the other; and having ever had enough to do to defend their several Liberties against the encroachments of the House of *Austria* (in which the Imperial dignity is become in some sort Hereditary) if there hath been something of extraordinary Power exercised of late years, I can say *Inter arma silent leges*, but besides their own particular States, they have the Diet of the Empire, which never fails to Mediate and Compose things, if there be any great oppression used by Princes to their Subjects, or from one Prince or State to another. I shall therefore confine my self to the three great Kingdoms, *France*, *Spain*, and *Poland*; for as to *Denmark* and *Sweden*, the first hath lately chang'd its Government, and not only made the Monarchy Hereditary, which was before Elective, but has pull'd down the Nobility, and given their Power to the Prince; which how it will succeed time will shew. *Sweden* remains in point of Constitution and Property exactly as it did anciently, and is a well Governed Kingdom. The first of the o-

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ther three is *France*, of which I have spoken before, and shall only add, That though it be very true, that there is Property in *France*, and yet the Government is Despotical at this present, yet it is one of those violent States, which the *Grecians* called Tyrannies: For if a Lawful Prince, that is one who being so by Law, and sworn to rule according to it, breaks his Oaths and his Bounds, and reigns Arbitrarily, he becomes a Tyrant and an Usurper, as to so much as he assumes more than the Constitution hath given him; and such a Government, being as I said violent, and not natural, but contrary to the Interest of the People, first cannot be lasting, when the adventitious props which support it fail; and whilst it does endure must be very uneasy both to Prince and People; the first being necessitated to use continual oppression, and the latter to suffer it.

Doct. You are pleased to talk of the oppression of the People under the King of *France*, and for that reason, call it a violent Government, when, if I remember, you did once to day extoll the Monarchy of the *Turks* for well founded and
natural;

natural ; Are not the People in that Empire as much oppressed as in *France* ?

Eng. Gent. By no means ; unless you will call it oppression for the Grand Seignior to feed all his People out of the product of his own Lands ; and though they serve him for it, yet that does not alter the Case, for if you set poor men to work and pay them for it, are you a Tyrant, or rather, are not you a good Commonwealths-man, by helping those to live, who have no other way of doing it but by their labour ? But the King of *France* knowing that his People have, and ought to have Property, and that he has no right to their Possessions, yet takes what he pleases from them, without their consent, and contrary to Law ; So that when he sets them on work he pays them what he pleases, and that he levies out of their own Estates. I do not affirm that there is no Government in the World, but where Rule is founded in Property, but I say there is no natural fixed Government, but where it is so ; and when it is otherwise, the People are perpetually complaining, and the King in perpetual anxiety, always in fear of his
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Subjects, and seeking new ways to secure himself; God having been so merciful to mankind, that he has made nothing safe for Princes, but what is Just and Honest.

Noble Ven. But you were saying just now, that this present Constitution in *France* will fall when the props fail; we in *Italy*, who live in perpetual fear of the greatness of that Kingdom, would be glad to hear something of the decaying of those props; What are they, I beseech you?

Eng. Gent. The first is the greatness of the present King, whose heroick Actions and Wisdom has extinguished envy in all his Neighbour Princes, and kindled fear, and brought him to be above all possibility of control at home; not only because his Subjects fear his Courage, but because they have his Vertue in admiration, and amidst all their miseries cannot chuse but have something of rejoycing, to see how high he hath mounted the Empire and Honour of their Nation. The next prop is the change of their ancient Constitution, in the time of *Charles* the seventh by Consent, for about that time
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the Country being so wasted by the Invasion and Excurſions of the *Engliſh*; The States then aſſembled Petitioned the King that he would give them leave to go home, and diſpoſe of Affairs himſelf, and Order the Government for the future as he thought fit: Upon this, his Succeſſor *Lewis* the Eleventh, being a crafty Prince, took an occaſion to call the States no more, but to ſupply them with an *Aſſemble des notables*, which were certain men of his own nomination, like *Barbones* Parliament here, but that they were of better quality: Theſe in ſucceeding reigns (being the beſt men of the Kingdom) grew Troubleſome and Intractable; ſo that for ſome years the Edicts have been verified (that is in our Language) Bills have been paſſed in the Grand Chamber of the Parliament at *Paris*, commonly called the *Chambre d'audience*, who lately, and ſince the Impriſonment of Preſident *Brouſſelles* and others during this King's Minority, have never reſuſed or ſcrupled any Edicts whatſoever. Now when-ever this great King dies, and the States of the Kingdom are reſtored, theſe two great props of Arbitrary Power;

Power are taken away. Besides these two, the Constitution of the Government of *France* it self, is somewhat better fitted than ours to permit extraordinary Power in the Prince, for the whole People there possessing Lands, are Gentlemen; that is, infinitely the greater part, which was the reason why in their Assembly of Estates, the Deputies of the Provinces (which we call here Knights of the Shire) were chosen by, and out of the Gentry, and sat with the Peers in the same Chamber, as representing the Gentry only, called *petite noblesse*. Whereas our Knights here (whatever their blood is) are chosen by Commoners, and are Commoners, our Laws and Government taking no notice of any Nobility but the persons of the Peers, whose Sons are likewise Commoners, even their eldest, whilst their Father lives: Now Gentry are ever more tractable by a Prince, than a wealthy and numerous Commonalty; out of which our Gentry (at least those we call so) are raised from time to time: For when-ever either a Merchant, Lawyer, Tradesman, Grasier, Farmer, or any other get such an Estate,

as that he or his Son can live upon his Lands, without exercising of any other Calling, he becomes a Gentleman. I do not say, but that we have Men very Nobly descended amongst these, but they have no preheminance, or distinction by the Laws or Government. Besides this, the Gentry in *France* are very needy, and very numerous; the reason of which is, That the Elder Brother, in most parts of that Kingdom, hath no more share in the division of the Paternal Estate, than the Cadets, or Younger Brothers, excepting the Principal House, with the Orchards and Gardens about it, which they call *Vol de Chappon*, as who should say, As far as a Capon can fly at once. This House gives him the Title his Father had, who was called Seignior, or Baron, or Count of that place; which if he sells, he parts with his Baronship, and for ought I know becomes in time *roturier*, or ignoble. This practice divides the Lands into so many small parcels, that the Possessors of them being Noble, and having little to maintain their Nobility, are fain to seek their Fortune, which they can find no where so well as at

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the Court, and so become the King's Servants and Souldiers, for they are generally Couragious, Bold, and of a good Meen. None of these can ever advance themselves, but by their desert, which makes them hazard themselves very desperately, by which means great numbers of them are kill'd, and the rest come in time to be great Officers, and live splendidly upon the King's Purse, who is likewise very liberal to them, and according to their respective merits, gives them often in the beginning of a Campagne a considerable sum to furnish out their Equipage: These are a great Prop to the Regal Power, it being their Interest to support it, lest their gain should cease, and they be reduced to be poor *Provinciaux*, that is, Country Gentlemen again; whereas, if they had such Estates as our Country Gentry have, they would desire to be at home at their ease, whilst these (having ten times as much from the King as their own Estate can yield them, which supply must fail, if the King's Revenue were reduced) are perpetually engaged to make good all exorbitances.

Doct. This is a kind of Governing by Property too, and it puts me in mind of a Gentleman of good Estate in our Country, who took a Tenants Son of his to be his Servant, whose Father not long after dying, left him a Living of about ten pound a year: the young Man's Friends came to him, and asked him why he would serve now he had an Estate of his own able to maintain him: his Answer was, That his own Lands would yield him but a third part of what his Service was worth to him in all; besides, that he lived a pleasant Life, wore good Clothes, kept good Company, and had the conversation of very pretty Maids that were his Fellow-servants, which made him very well digest the name of being a Servant.

Eng. Gent. This is the very Case; but yet Service (in both these Cases) is no Inheritance; and when there comes a Peaceable King in *France*, who will let his Neighbours be quiet, or one that is covetous, these fine Gentlemen will lose their Employments, and their King this Prop; and the rather, because these Gentlemen do not depend (as was said before)

in any kind upon the great Lords (whose standing Interest is at Court) and so cannot in a change, be by them carried over to advance the Court designs against their own good and that of their Country; and thus much is sufficient to be said concerning *France*. As for *Spain*, I believe there is no Country (excepting *Sweden*) in Christendom, where the Property has remained so intirely the same it was at the beginning; and the reason is, the great and strict care that is taken to hinder the Lands from passing out of the old owners hands; for except it be by Marriages, no man can acquire another man's Estate, nor can any Grandee, or Titulado, or any other Hidalgo there, alienate or engage his Paternal, or Maternal Estate, otherwise than for his Life, nor can alter Tenures, or extinguish Services, or dismember Mannors, for to this the Princes consent must be had, which he never gives, till the matter be debated in the *Consejo de Camera*, which is no *Junta* or secret *Consejo de Guerras*, but one wherein the great men of the Kingdom intervene, and wherein the great matters concerning the preservation of the Govern-

vernment are transacted, not relating to Foreign Provinces, or Governments, but to the Kingdom of *Castile*, and *Leon*, of which I only speak now : It is true, there have been one or two exceptions against this severe Rule, since the great calamities of *Spain*, and two great Lordships have been sold, the *Marquisate del Monastero*, to an *Assentista* *Genoese*, and another to *Sebastian Cortiza*, a *Portuguese*, of the same Profession, but both these have bought the intire Lordships, without curtailing or altering the condition in which these two great Estates were before ; and notwithstanding, this hath caused so much repining amongst the natural *Godos* (as the *Castillians* call themselves still for glory) that I believe this will never be drawn into an Example hereafter : Now the Property remaining the same, the Government doth so too, and the King's Domestick Government, over his natural *Spaniards*, is very gentle, whatever it be in his Conquer'd Provinces ; and the Kings there have very great advantages of keeping their great Men (by whom they Govern) in good temper, by reason of the great Govern-

ments they have to bestow upon them, both in *Europe* and the *Indies*, which changing every three years, go in an Age through all the *Grandees*, which are not very numerous: Besides, *Castile* having been in the time of King *Roderigo* over-run and Conquered by the *Moors*, who Governed there Despotically, some hundreds of years, before it could be recovered again by the old Inhabitants, who fled to the Mountains; When they were at length driven out, the Count of *Castile* found a Tax set upon all Commodities whatsoever, by the *Moors*, in their Reign, called *Alcavat*, which was an easie matter to get continued (when their old Government was restored) by the *Cortes*, or States, and so it has continued ever since, as the Excise has done here, which being imposed by them who drove and kept out the King, does now since his happy Restauration remain a Revenue of the Crown. This *Alcavat*, or Excise, is a very great Revenue, and so prevented, for some time, the necessities of the Crown, and made the Prince have the less need of asking Relief of his People

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(the ordinary cause of disgust,) so that the *Cortes*, or Assembly of the States, has had little to do of late, though they are duly assembled every year, but seldom contradict what is desired by the Prince; for there are no greater Idolaters of their Monarch in the World than the *Castilians* are, nor who drink deeper of the Cup of Loyalty: so that in short, the Government in *Spain* is as ours was in Queen *Elizabeths* time, or in the first year after his now Majesties Return, when the Parliament, for a time, Complimented the Prince, who had by that means both his own Power and the Peoples, which days I hope to see again upon a better and more lasting Foundation. But before I leave *Spain*, I must say a word of the Kingdom of *Arragon*, which has not at all times so quiet a state of their Monarchy as *Castile* hath enjoyed; for after many Combustions which happened there, concerning their *Fueros* and *Privilegios*, which are their Fundamental Laws, the King one day coming to his Seat in Parliament, and making his demands, as was usual, They told him that they had a Request to make

to him first, and he withdrawing thereupon, for he had no right of sitting there to hear their Debates, they fell into discourse, how to make their Government subsist against the encroachments of the Prince upon them, and went very high in their Debates, which could not chuse but come to the King's ear, who walked in a Gallery in the same Palace to expect the issue; and being in great passion was seen to draw out his Dagger very often, and thrust it again into the sheath, and heard to say, *Sangre ha de costar*, which coming to the knowledg of the Estates, they left off the Debate, and sent some of their number to him, to know what blood it should cost, and whether he meant to murder any body; he drew out his Dagger again, and pointing it to his own breast, he said, *Sangre de Reys*, leaving them in doubt, whether he meant that his Subjects would kill him, or that he would do it himself; however, that Parliament ended very peaceably, and a famous settlement was there and then made, by which a great person was to be chosen every Parliament, who should be as it were an Umpire between
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the King and his People, for the Execution of their Laws, and the Preservation of their Government, their *Fueros* and *Privilegios*, which are their Courts of Justice, and their Charters. This Officer was called, *El Justicia d' Arragon*, and his duty was to call together the whole Power of the Kingdom, when-ever any of the aforesaid Rights were by open force violated or invaded, and to admonish the King, when-ever he heard of any clandestine Councils among them to that effect. It was likewise made Treason, for any person of what quality soever, to refuse to repair upon due summons to any place where this *Justicia* should erect his Standard, or to withdraw himself without leave, much more to betray him or to revolt from him: Besides, in this *Cortes*, or Parliament, the old Oath which at the first Foundation of their State was ordered to be taken by the King at his admittance, was again revived, and which is in these words, *Nos que valemos tanto como nos, y podemos mas, os eligimos nuestro Rey, conque nos guardeys nuestros fueros y Privilegios, y si no, no.* That is, We who are as good as you, and
more

more Powerful, do chuse you our King, upon condition that you preserve our Rights and Priviledges, and if not, not. Notwithstanding all this, *Philip* the Second, being both King of *Castile* and *Arragon*, picked a quarrel with the latter, by demanding his Secretary *Antonio Perez*, who fled from the King's displeasure thither, being his own Country; and they refusing to deliver him (it being expressly contrary to a Law of *Arragon*, that a Subject of that Kingdom should be against his will carried to be tryed elsewhere) the King took that occasion to Invade them with the Forces of his Kingdom of *Castile*, (who had ever been Rivals and Enemies to the *Aragoneses*) and they to defend themselves under their *Justicia*, who did his part faithfully and courageously; but the *Castilians* being old Soldiers, and those of *Arragon* but County Troops, the former prevailed, and so this Kingdom in getting that of *Castile* by a Marriage (but an Age before) lost its own Liberty and Government; for it is since made a Province, and Governed by a Vice Roy from *Madrid*, although they keep up the formality of their *Cortes* still.

Doct.

Doct. No man living that knew the hatred and hostility that ever was between the *English* and *Scots*, could have imagined in the years 1639, and 1640. when our King was with great Armies of *English* upon the Frontiers of *Scotland*, ready to Invade that Kingdom, that this Nation would not have assisted to have brought them under; but it proved otherwise.

Eng. Gent. It may be they feared, That when *Scotland* was reduced to slavery, and the Province pacified, and Forces kept up there, That such Forces and greater might have been employed here, to reduce us into the same condition; an apprehension which at this time sticks with many of the common People, and helps to fill up the measure of our Fears and Distractions. But the visible reason why the *English* were not at that time very forward to oppress their Neighbours, was the consideration, That they were to be Invaded for refusing to receive from hence certain Innovations in matters of Religion, and the worship of God, which had not long before been introduced here, and therefore the People of
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this Kingdom were unwilling to perpetuate a Mungrel Church here, by imposing it upon them: But I do exceedingly admire, when I read our History, to see how zealous and eager our Nobility and People here were anciently to assert the Right of our Crown to the Kingdom of *France*; whereas it is visible, that if we had kept *France* (for we Conquered it intirely and fully) to this day, we must have run the fate of *Arragon*, and been in time ruined and opprest by our own Valour and good Fortune; a thing that was foreseen by the *Macedonians*, when their King *Alexander* had subdued all *Persia* and the *East*; who weighing how probable it was, that their Prince having the possession of such great and flourishing Kingdoms, should change his *Domicilium Imperii*, and inhabite in the Center of his Dominions, and from thence Govern *Macedon*, by which means the *Grecians*, who by their Vertue and Valour had Conquered and subdued the *Barbarians*, should in time (even as an effect of their Victories) be opprest and tyrannized over by them, and this pre-cautious foresight in the *Greeks* (as was
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fully believed in that Age) hastened the fatal Catastrophe of that great Prince.

Doct. Well, I hope this consideration will fore-arm our Parliaments, That they will not easily suffer their eyes to be dazzled any more with the false glory of Conquering *France*.

Noble Ven. You need no great cautions against Conquering *France* at this present, and I believe your Parliaments need as little admonition against giving of Money towards new Wars or Alliances, that fine wheedle having lately lost them enough already; therefore, pray, let us suffer our Friend to go on.

Eng. Gent. I have no more to say of Foreign Monarchies, but only to tell you, That *Poland* is both Governed and Possessed by some very great Persons or Potentates, called *Palatines*, and under them by a very numerous Gentry; for the King is not only Elective, but so limited, that he has little or no Power, but to Command their Armies in time of War, which makes them often chuse Foreigners of great Fame for Military Exploits: and as for the Commonalty or Country-men, they are absolutely Slaves
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or Villains. This Government is extremely confused, by reason of the numerousness of the Gentry, who do not always meet by way of representation as in other Kingdoms, but sometimes for the choice of their King, and upon other great occasions, collectively, in the Field, as the Tribes did at *Rome*, which would make things much more turbulent if all this body of Gentry did not wholly depend for their Estates upon the favour of the Palatines their Lords, which makes them much more tractable. I have done with our Neighbours beyond Sea, and should not without your command have made so long a digression in this place, which should indeed have been treated of before we come to speak of *England*, but that you were pleased to divert me from it before: However being placed near the Portraicture of our own Country, it serves better (as *contraria juxta se posita*) to illustrate it; but I will not make this Deviation longer, by Apologizing for it; and shall therefore desire you to take notice, That as in *England* by degrees Property came to shift from the few to the many, so the

the Government is grown heavier and more uneasie both to Prince and People, the complaints more in Parliament, the Laws more numerous, and much more tedious and prolix, to meet with the tricks and malice of men, which works in a loose Government; for there was no need to make Acts *verbose*, when the great Persons could presently force the Execution of them: for the Law of *Edward the First*, for frequent Parliaments, had no more words then *A Parliament shall be holden every year*, whereas our Act for a Triennial Parliament, in the time of King *Charles the First*, contained several sheets of Paper, to provide against a failer in the Execution of that Law; which if the Power had remained in the Lords, would have been needless: for some of them, in case of intermission of Assembling the Parliament, would have made their Complaint and Address to the King, and have immediately removed the obstruction, which in those days had been the natural and easie way: but now that many of the Lords (like the Bishops which the Ropes make at *Rome*, in *partibus infidelium*) are meerly grown Titular,

lar, and purchased for nothing but to get their Wives place, it cannot be wondered at if the King slight their Addresses, and the Court Parasites deride their Honourable undertakings for the safety of their Country. Now the Commons succeeding, as was said, in the Property of the Peers and Church (whose Lands five parts of six have been alienated, and mostly is come into the same hands with those of the King and Peers) have inherited likewise, according to the course of nature, their Power; But being kept from it by the established Government (which not being changed by any lawful Acts of State) remains still in being formally, whereas virtually it is abolished; so that for want of outward Orders and Provisions, the People are kept from the Exercise of that Power which is fallen to them by the Law of Nature, and those who cannot by that Law pretend to the share they had, do yet enjoy it by virtue of that Right which is now ceased, as having been but the natural Effect of a Cause that is no longer in being, and you know *sublata causa tollitur*. I cannot say that the greater part of the People

ple do know this their condition, but they find very plainly that they want something which they ought to have; and this makes them lay often the blame of their unsetledness upon wrong causes: but however, are altogether unquiet and restless in the Intervals of Parliament: and when the King pleases to assemble one, spend all their time in Complaints of the Inexecution of the Law, of the multiplication of an Infinity of Grievances, of Mis-spending the Publick Moneys, of the danger our Religion is in by practises to undermine it and the State, by endeavours to bring in Arbitrary Power, and in questioning great Officers of State, as the Causers and Promoters of all these Abuses; in so much, that every Parliament seems a perfect State of War, wherein the Commons are tugging and contending for their Right, very justly and very honourably, yet without coming to a Point: So that the Court sends them packing, and governs still worse and worse in the Vacancies, being necessitated thereunto by their despair of doing any good in Parliament; and therefore are forced to use horrid shifts to sub-

sist without it, and to keep it off; without ever considering, that if these Counsellors understood their Trade, they might bring the Prince and People to such an Agreement in part, as might repair the broken and shipwrack'd Government of *England*; and in this secure the Peace, Quiet and Prosperity of the People, the Greatness & Happiness of the King, and be themselves not only out of present danger (which no other course can exempt them from) but be Renowned to all Posterity.

Noble Ven. I beseech you Sir, how comes it to pass, that neither the King, nor any of his Counsellors could ever come to find out the truth of what you discourse? for I am fully convinced it is as you say.

Eng. Gent. I cannot resolve you that, but this is certain they have never endeavoured a Cure, though possibly they might know the Disease, as fearing that though the Effects of a Remedy would be, as was said, very advantageous both to King and People, and to themselves; yet possibly, such a Reformation might not consist with the Merchandize they make of the Princes Favour, nor with
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such Bribes, Gratuities and Fees as they usually take for the dispatch of all Matters before them. And therefore our Counsellors have been so far from suggesting any such thing to their Master, that they have opposed and quashed all Attempts of that kind, as they did the worthy Proposals made by certain Members of that Parliament in the beginning of King *James's* Reign; which is yet called the Undertaking Parliament. These Gentlemen considering what we have been discoursing of, *viz.* That our old Government is at an end, had framed certain Heads, which, if they had been proposed by that Parliament to the King, and by him consented to, would, in their Opinion, have healed the Breach; and that if the King would perform his part, that House of Commons would undertake for the Obedience of the People. They did believe that if this should have been moved in Parliament before the King was acquainted with it, it would prove Abortive: and therefore sent three of their number to His Majesty; Sir *James a Croft*, Grandfather or Father to the present Bishop of *Hereford*; one *Harlow* M 2 a Knight,

a Knight, whose Christian Name I remember not, but was Ancestor to the Honourable Family of that Name in *Herefordshire* ; and Sir *Henry Nevill*, who had been Ambassador from *Queen Elizabeth* to the *French King*. These were to open the matter at large to the King, and to procure his leave that it might be proposed in Parliament : which, after a very long Audience and Debate, that wise Prince consented to, with a promise of Secresie in the mean time, which they humbly begged of His Majesty. However, this took Vent, and the Earl of *Northampton*, of the House of *Howard*, who ruled the Rost in that time, having knowledge of it, engaged Sir *R. Weston*, afterwards Lord Treasurer and Earl of *Portland*, to impeach these Undertakers in Parliament before they could move their Matters, which he did the very same day ; accompanying his Charge (which was endeavouring to alter the established Government of *England*) with so eloquent an Invective, that if one of them had not risen, and made the House acquainted with the whole Series of the
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Affair, they must have been in danger of being impeached by the Commons: but however it broke their design, which was all that *Northampton* and *Weston* desired, and prevented Posterity from knowing any of the Particulars of this Reformation; for nothing being moved, nothing could remain upon the Journal. So that you see our Predecessors were not ignorant altogether of our condition, though the Troubles which have befallen this poor Kingdom since, have made it much more apparent: for since the Determination of that Parliament, there has not been one called, either in that King's Reign, or his Son's, or since, that hath not been dissolved abruptly; whilst the main businesses, and those of most concern to the Publick were depending and undecided. And although there hath happened in this Interim a bloody War, which in the Close of it, changed the whole Order and Foundation of the Polity of *England*, and that it hath pleased God to restore it again by His Majesty's happy Return. So that the old Government is alive again; yet it is very visible that its deadly Wound is not healed, but that we

are to this day tugging with the same difficulties, managing the same Debates in Parliament, and giving the same disgusts to the Court, and hopes to the Country, which our Ancestors did before the Year 1640. whilst the King hath been forced to apply the same Remedy of Dissolution to his two first Parliaments that his Father used to his four first, and King *James* to his three last, contrary to his own visible Interest, and that of his People; and this for want of having Counsellors about him of Abilities and Integrity enough to discover to him the Disease of his Government, and the Remedy: which, I hope, when we meet to Morrow Morning you will come prepared to enquire into; for the Doctor says, he will advise you to go take the Air this Afternoon in your Coach.

Noble Ven. I shall think it very long till the Morning come: But before you go, pray give me leave to ask you something of your Civil War here; I do not mean the History of it (although the World abroad is very much in the dark as to all your Transactions of that time for want of a good one) but the Grounds
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or Pretences of it, and how you fell into a War against your King.

Eng. Gent. As for our History, it will not be forgotten; one of those who was in Employment from the Year 40. to 60. hath written the History of those 20 Years, a Person of good Learning and Elocution; and though he be now dead, yet his Executors are very unwilling to publish it so soon, and to rub a Sore that is not yet healed. But the Story is writ with great Truth and Impartiality, although the Author were engaged both in Councils and Arms for the Parliaments side. But for the rest of your Demand, you may please to understand, that our Parliament never did, as they pretended, make War against the King; for he by Law can do no Wrong, and therefore cannot be quarrelled with: The War they declared was undertaken to rescue the King's Person out of those Mens hands who led him from his Parliament, and made use of his Name to levy a War against them.

Noble Ven. But does your Government permit, that in case of a disagreement between the King and his Parliament, ei-

ther of them may raise Arms against the other.

Eng. Gent. It is impossible that any Government can go further than to provide for its own Safety and Preservation whilst it is in Being, and therefore it can never direct what shall be done when it self is at an end, there being this difference between our Bodies Natural and Politick; that the first can make a Testament to dispose of things after its death, but not the other. This is certain, that where-ever any two Co-ordinate Powers do differ, and there be no Power on Earth to reconcile them otherwise, nor any Umpire, they will, *de facto*, fall together by the Ears. What can be done in this Case, *de jure*? Look into your own Country-man *Machiavell*, and into *Grotius*, who in his Book, *De jure Belli ac Pacis*, treated of such matters long before our Wars. As for the ancient Politicians, they must needs be silent in the Point, as having no mixt Governments amongst them; and as for me, I will not rest my self in so slippery a place. There are great disputes about it in the Parliaments Declarations before the War, and
some.

something considerable in the King's Answers to them ; which I shall specify immediately, when I have satisfied you how our War begun ; which was in this manner. The Long Parliament having procured from the King his Royal Assent for their Sitting till they were dissolved by Act, and having paid and sent out the Scottish Army, and disbanded our own, went on in their Debates for the settling and mending our Government, the King being displeased with them for it, and with himself for putting it out of his Power to dissolve them, now their business which they pretended for their Perpetuation was quite finished, takes an unfortunate Resolution to accuse five principal Men of the Commons House, and one of the Peers, of High Treason : which he prosecuted in a new unheard of way, by coming with armed Men into the Commons House of Parliament, to demand their Members ; but nothing being done by reason of the absence of the five, and Tumults of discontented Citizens flocking to *White-Hall* and *Westminster*, the King took that occasion to absent himself from his Parliament. Which induced the
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Commons House to send Commissioners to *Hampton Court* to attend His Majesty with a Remonstrance of the State of the Kingdom, and an humble Request to return to his Parliament, for the Redressing those Grievances which were specified in that Remonstrance. But the King, otherwise Counsell'd, goes to *Windsor*, and thence Northwards, till he arrived at *York* : where he summons in the *Militia*, that is, the Trained Bands of the County ; and besides, all the Gentry, of which there was a numerous Appearance. The King address'd himself to the latter with Complaints against a prevailing Party in Parliament, which intended to take the Crown from his Head ; that he was come to them, his loving Subjects, for Protection ; and, in short, desired them to assist him with Moneys to defend himself by Arms. Some of these Gentlemen petitioned His Majesty to return to his Parliament, the rest went about the Debate of the King's Demands ; who, in the mean time, went to *Hull*, to secure the Magazine there, but was denied Entrance by a Gentleman whom the House had sent down to prevent the seizing it ; who was

was immediately declared a Traytor, and the King fell to raising of Forces : which coming to the Knowledge of the House, they made this Vote, *That the King, seduced by Evil Counsel, intended to levy War against his Parliament and People, to destroy the Fundamental Laws and Liberties of England, and to introduce an Arbitrary Government, &c.* This was the first time they named the King, and the last : For in all their other Papers, and in their Declaration to Arm for their Defence (which did accompany this Vote) they name nothing but Malignant Counsellors. The King's Answer to these Votes and this Declaration, is that which I mentioned ; wherein His Majesty denies any intention of invading the Government, with high Imprecations upon himself and Posterity if it were otherwise : and owns that they have Right to maintain their Laws and Government. This is to be seen in the Paper itself now extant ; and this Gracious Prince never pretended (as some Divines have done for him) that his Power came from God, and that his Subjects could not dispute it, nor ought he to give any Account of his Actions (though he

he should enslave us all) to any but him. So that our War did not begin upon a point of Right, but upon a matter of Fact, for without going to Lawyers or Casuists to be resolved, those of the People, who believed that the King did intend to destroy our Liberties, joyned with the Parliament, and those who were of opinion that the prevailing party in Parliament did intend to destroy the King or dethrone him, assisted vigorously his Majesty with their Lives and Fortunes. And the Question you were pleased to ask never came, for both parties pretended and believed they were in the right, and that they did fight for and defend the Government: But I have wearied you out.

Noble. Ven. No sure, Sir, but I am infinitely obliged to you for the great care you have taken and still have used to instruct me, and beg the continuance of it for to morrow morning.

Eng. Gent. I shall be sure to waite upon you at nine a Clock, but I shall beseech both of you to bethink your selves what to offer, for I shall come with a design to learn, not to teach, nor will I pre-

presume in such a matter to talk all, as you have made me do to day, for what I have yet to say in the point of Cure, is so little, that it will look like the Mouse to the Mountain of this days discourse.

Doct. It is so in all Arts, the Corollary is short, and in ours particularly. Those who write of the several Diseases incident to humane bodies, must make long Discourses of the Causes, Symptomes, Signs and Prognosticks of such Distempers, but when they come to treat of the Cure, it is dispatched in a few *Recipes*.

Eng. Gent. Well, Sir, for this bout, I humbly take my leave of you ; nay, Sir, you are not in a condition to use ceremony.

Doct. Sir, I forbid you this door, pray retire, to stand here is worse than to be in the open air.

Noble Ven. I obey you both.

Doct. I shall wait on you in the Evening.

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The THIRD DAY.

Noble Ven. **G**entlemen, you are very welcome; what you are come both together.

Doct. I met this Gentleman at the door: But methinks we sit looking one upon another, as if all of us were afraid to speak.

Eng. Gent. Do you think we have not reason in such a subject as this is? how can any Man, without Hesitation, presume to be so confident as to deliver his private opinion in a point, upon which, for almost 200 year (for so long our Government has been crazy) no Man has ventured; and when Parliaments have done any thing towards it, there have been Animosities and Breaches, and at length Civil Wars?

Noble Ven. Our work today is, to endeavour to shew how all these troubles may be prevented for the future, by taking away the Cause of them, which is the want of a good Government; and therefore it will not be so much presumption

ption in you, as charity to declare your self fully in this matter.

Eng. Gent. The Cure will follow naturally, if you are satisfied in the Disease, and in the Cause of the Disease, for if you agree that our Government is broken, and that it is broken because it was Founded upon Property, and that Foundation is now shaken, It will be obvious, that you must either bring Property back to your old Government, and give the King and Lords their Lands again, or else you must bring the Government to the Property as it now stands.

Doct. I am very well satisfied in your Grounds, but because this Fundamental truth is little understood amongst our People, and that in all conversations Men will be offering their opinions of what the Parliament ought to do at their Meeting, it will not be amiss to examine some of those Expedients they propose, and to see whether some or all of them may not be effectual towards the bringing us to some degree of settlement, rather than to venture upon so great a change and alteration as would be necessary to model our Government anew.

Eng.

Eng. Gent. Sir, I believe there can be no Expedients proposed in Parliament that will not take up as much time and trouble, find as much difficulty in passing with the King and Lords, and seem as great a change of Government, as the true remedy would appear, at least I speak as to what I have to propose; but however, I approve your Method, and if you will please to propose any of those things, I shall either willingly embrace them, or endeavour to shew reason why they will be of little fruit in the settling our State.

Doct. I will reduce them to two Heads (besides the making good Laws for keeping out Arbitrary Power, which is always understood) the hindring the growth of Popery, and consequently the providing against a Popish Successor; and then the declaring the Duke of *Monmouth's* Right to the Crown, after it hath been examined and agreed to in Parliament.

Eng. Gent. As for the making new Laws, I hold it absolutely needless, those we have already against Arbitrary Power being abundantly sufficient, if they might

might be executed, but that being impossible (as I shall shew hereafter) till some change shall be made, I shall *postpone* this point, and for the first of your other two I shall divide, and separate the consideration of the growth of Popery from that of the Succession. I am sorry that in the prosecution of this Argument, I shall be forced to say something that may not be very pleasing to this worthy Gentleman, we being necessitated to discourse with prejudice of that Religion which he professes, but it shall be with as little ill breeding as I can, and altogether without passion or invectives.

Noble Ven. It would be very hard for me to suspect any thing from you that should be disobliging; but pray, Sir, go on to your Political discourse, for I am not so ignorant my self but to know that the conservation of the National Religion (be it what it will) is essential to the well ordering a State, and though in our City the Doctrinals are very different from what are professed here, yet as to the Government of the State, I believe you know that the Pope or his Priests have as little influence upon it, as your

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Clergy have here, or in any part of the World.

Eng. Gent. I avow it fully, Sir, and with the favour you give will proceed: It cannot be denyed but that in former times Popery has been very innocent here to the Government, and that the Clergy and the Pope were so far from opposing our Liberties, that they both sided with the Barons to get a Declaration of them by means of *Magna Charta*: It is true also, that if we were all Papists, and that our State were the same, both as to Property and Empire, as it was 400 years ago, there would be but one inconvenience to have that Religion National again in *England*, which is, That the Clergy, *quatenus* such, had and will have a share in the Sovereignty, and inferior Courts in their own Power, called Ecclesiastical; this is and ever will be a Solecisme in Government, besides a manifest contradiction to the words of Christ our Saviour, who tells us, his Kingdom is not of this World; and the truth is, if you look into the Scriptures, you will find, That the Apostles did not reckon that the Religion they planted should be
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National in any Country , and therefore have given no precepts to the Magistrate to meddle in Matters of Faith and the Worship of God ; but Preach'd, That Christians should yield them obedience in all lawful things: There are many passages in Holy Writ which plainly declare, that the true Believers and Saints should be but an handful , and such as God had separated, and as it were taken out of the World, which would not have been said by them, if they had believed that whole Nations and People should have been true Followers of Christ, and of his Flock, for certainly none of them are to be damn'd, and yet Christ himself tells us, that few are saved, and bids us strive to get in at the strait gate ; and therefore I conceive it not to be imaginable, that either Christ or his Apostles did ever account that the true Religion should be planted in the World by the framing of Laws, Catechisms, or Creeds, by the Sovereign Powers and Magistrates, whether you call them Spiritual or Temporal, but that it should have a Progress suitable to its beginning, for it is visible that it had its Original from the Power

and Spirit of God, and came in against the stream, not only without a *Numa Pompilius*, or a *Pythagoras* to plant and establish it by humane Constitutions and Authority, but had all the Laws of the World to oppose it, and all the bloody Tyrants of that age to persecute it, and to inflict exquisite torments on the Professors of it. In *Nero's* time (which was very early) the Christians were offered a Temple in *Rome*, and in what other Cities they pleased, to be built to Jesus Christ, and that the *Romans* should receive him into the number of their gods; but our Religion being then in its purity, this was unanimously refused, for that such a God must have no Companions, nor needed no Temples, but must be Worshipped in Spirit and Truth; the Successors to these good Christians were not so scrupulous, for within some Ages after, the Priests, to get Riches and Power, and the Emperors to get and keep the Empire (for by this time the Christians were grown numerous and powerful) combined together to spoil our Holy Religion, to make it fit for the Government of this World, & to introduce into it all the Ceremonious fol-
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lies and Superstitions of the Heathen, and which is worse, the Power of Priests, both over the Persons and Consciences of Men. I shall say no more of this, but refer you to innumerable Authors who have treated of this Subject, particularly to a *French* Minister, who hath written a Book, Entituled, *La Religion Catholique Apostolique Romaine instituee par Name Pompile*, and to the incomparable *Machiavel* in his *Posthume* Letter, Printed lately in our Language, with the Translation of his Works: But I have made a long digression, and to come back again, I shall only desire you to take notice, when I say that anciently Popery was no inconvenience in this Kingdom, I mean only Politically, as the Government then stood, and do not speak at all of the prejudice which Mens Souls did and will ever receive from the Belief of those impious Tenents, and the want of having the True Gospel of Jesus Christ preached unto them, but living in perpetual Superstition and Idolatry: The consideration of these Matters is not so proper to my present purpose, being to Discourse only of Government. Notwithstanding therefore, as I

said before, that Popery might have suited well enough with our old Constitution, yet as to the present Estate, which inclines to Popularity, it would be wholly as inconsistent with it, and with the Power of the Keys, and the Empire of Priests (especially where there is a Foreign Jurisdiction in the case) as with the Tyranny and Arbitrary Power of any Prince in the World. I will add thus much in Confirmation of the *Doctor's* Assertion, That we ought to prevent the Growth of Popery, since it is now grown a Dangerous Faction here against the State.

Noble Ven. How can that be, I beseech you, Sir?

Eng. Gent. Sir, I will make you Judge of it your self; I will say nothing of those foolish Writings that have been put forth by *Mariana*, *Emmanuel Sa*, and some others, about the lawfulness of destroying Princes and States, in case of Heresie, because I know all the conscientious and honest Papists (of which I know there are great numbers in the World) do not only not hold, but even abhor such cursed Tenents, and do believe, that when the Pope, by Ex-

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communication, hath cut off any Prince from the Communion of the Church, can go no further, nor ought to pretend a Power to deprive him of his Crown, or absolve his Subjects from their Oaths and Obedience: But I shall confine my self to the present condition of our Papists here. You know how dangerous it is for any Kingdom or State to have a considerable, wealthy, flourishing party amongst them, whose interest it is to destroy the Polity and Government of the Country where they live, and therefore if our Papists prove this Party, you will not wonder why this People are so eager to depress them; this is our Case, for in the beginning of *Queen Elizabeths* reign, there was an alteration of Religion in our Country, which did sufficiently enrage the Holy Father at *Rome*, to see that this good Cow would be Milked no longer, He declares her an Heretick and a Bastard, (his Sanctity not having declared null that incestuous Marriage, which her Father had contracted before with his Brothers Wife, and which that King had dissolved to Marry her Mother) and afterwards Excommunicated our Queen,

depriving her, as much as in him lay, of the Kingdom; some of the Zealots of that Party (having a greater terrour for those Thunder-bolts than I believe many have now) began to Conspire against her; and Plots grew at length so frequent, and so dangerous, that it was necessary (as the Parliaments then thought) to secure the Queen, by making severe Laws against a People, who did not believe themselves her Majesties Subjects; but on the contrary, many of them thought themselves in Conscience obliged to oppose and destroy her; and although that Excommunication, as also the pretended doubtfulness of the Title, both dyed with that renowned Queen, yet a new desperate Conspiracy against the King her Successor, and the whole Parliament ensuing, not long after her decease, those vigorous Laws have been so far from being repealed; that very many more, and far severer, have been since made, and are yet in force. Now these Laws make so great a distinction between Protestants and Papists, that whereas the former are by our Government and Laws, the freest People in the World,

World, the latter are little better than slaves, are confined to such a distance from their Houses, are not to come near the Court, which being kept in the Capital City, mostly deprives them from attending their necessary occasions, they are to pay two third parts of their Estates annually to the King, their Priests are to suffer as Traitors, and they as Felons for harbouring them; in fine, one of us, if he do not break the Municipal Laws for the good Government of the Country, need not fear the King's Power, whereas their being what they are is a breach of the Law, and does put them into the Princes hands to ruine them when he pleases; nay, he is bound by Oath to do it, and when he does it not, is complained against by his People, and Parliaments take it amiss. Now judg you, Sir, whether it is not the interest of these People to desire and endeavour a change whilst they remain under these discouragements, and whether they are not like to joyn with the Prince (whose connivance at the inexecution of those Laws is the only means and hope of their preservation) when-ever he shall under-

undertake any thing for the increase of his own Power, and the depressing his Parliaments.

Noble Ven. What you say is very undeniable, but when the Remedy is very easie and obvious, as well as very just and honourable, which is the taking away those cruel Laws, and if that were done they would be one People with you, and would have no necessity, and by consequence no desire to engreaten the King against the Interest and Liberty of their own Country.

Eng. Gent. You speak very well, and one of the Reasons amongst many which I have, to desire a composure of all our troubles by a settled Government, is, that I may see these People (who are very considerable, most of them, for Estates Birth and Breeding) live quietly under our good Laws, and increase our Trade and Wealth with their expences here at home, whereas now the severity of our Laws against them, makes them spend their Revenues abroad, and enrich other Nations with the Stock of *England*; but as long as the State here is so unsettled as it is, our Parliaments will never consent

sent to countenance a Party, who by the least Favour and Indulgence may make themselves able to bring in their own Religion to be National, and so ruine our Polity and Liberties.

Noble Ven. I wonder why you should think that possible?

Eng. Gent. First, Sir, for the Reason we first gave, which is the craziness of our Polity, there being nothing more certain than that both in the Natural and also the Politick Body any sinister accident that intervenes, during a very Diseased habit, may bring a dangerous alteration to the Patient. An Insurrection in a decayed Government, a thing otherwise very inconsiderable, has proved very fatal, as I knew a slight flesh wound bring a lusty Man to his Grave in our Wars, for that he being extreamly infected with the *French* Disease could never procure the Orifice to close; so although the designs both at home and abroad, for altering our Religion, would be very little formidable to a well founded Government, yet in such an one as we have now, it will require all our care to obviate such Machinations. Another Reason,
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is the little Zeal that is left amongst the ordinary Protestants, which Zeal uses to be a great Instrument of preserving the Religion established, as it did here in Queen *Elizabeths* time ; I will add the little Credit the Church of *England* hath amongst the People, most Men being almost as angry with that Popery which is left amongst us (in Surplices, Copes, Altars, Cringings, Bishops Ecclesiastical Courts, and the whole Hierarchy, besides an Infinite number of Useless, Idle, Superstitious Ceremonies, and the Ignorance and Vitiuousness of the Clergy in general) as they are with those *Dogma's* that are abolished : So that there is no hopes that Popery can be kept out, but by a Company of poor People called Fanaticks, who are driven into Corners as the first Christians were ; and who only in truth Conserve the Purity of Christian Religion, as it was planted by Christ and his Apostles, and is contained in Scripture. And this makes almost all sober Men believe, that the National Clergy, besides all other good qualities have this too, that they cannot hope to make their Hierarchy subsist long against the Scriptures,

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the hatred of Mankind, and the Interest of this People, but by Introducing the *Roman* Religion; and getting a Foreign Head and Supporter, which shall from time to time brave and hector the King and Parliament in their favour and behalf, which yet would be of little advantage to them, if we had as firm and wise a Government as you have at *Venice*. Another Reason, and the greatest, why the *Romish* Religion ought to be very warily provided against at this time, is; That the Lawful and Undoubted Heir to the Crown, if his Majesty should die without Legitimate Issue, is more than suspected to Imbrace that Faith; which (if it should please God to call the King, before there be any Remedy applied to our Distracted State) would give a great opportunity (by the Power he would have in Intervals of Parliament) either to Introduce immediately that Profession, with the help of our Clergy, and other *English* and Foreign Aids, or else to make so fair a way for it, that a little time would perfect the work; and this is the more formidable, for that he is held to be a very Zealous and Bigotted *Romanist*; and therefore may be supposed

posed to act any thing to that end, although it should manifestly appear to be contrary to his own Interest and Quiet, so apt are those who give up their Faith and the Conduct of their Lives to Priests (who to get to themselves Empire, promise them the highest Seats in Heaven; if they will sacrifice their Lives, Fortunes, and Hopes, for the Exaltation of their Holy Mother, and preventing the Damnation of an innumerable company of Souls which are not yet born) to be led away with such Erroneous and wild Fancies. Whereas *Philip* the Second of *Spain*, the House of *Guise* in *France*, and other great Statesmen, have always made their own greatness their first Aim, and used their Zeal as an Instrument of that; And instead of being cozen'd by Priests, have cheated them, and made them endeavour to Preach them up to the Empire of the World. So I have done with the Growth of Popery, and must conclude, that if that should be stopt in such manner, that there could not be one Papist left in *England*, and yet our Polity left in the same disorder that now afflicts it, we should not be one Scruple the better for

for it, nor the more at quiet; the Growth and Danger of Popery not being the Cause of our present Distemper, but the Effect of it: But as a good and settled Government would not be at all the nearer for the destruction of Popery, so Popery and all the Dangers and Inconveniences of it would not only be further off, but would wholly vanish at the sight of such a Reformation. And so we begin at the wrong end, when we begin with Religion before we heal our Breaches. I will borrow one Similitude more, with our Doctor's favour, from his Profession. I knew once a Man given over by the Physitians, of an incurable *Cachexia*, which they said proceeded from the ill Quality of the whole Mass of Blood, from great Aduſtion, and from an ill habit of the whole Body. The Patient had very often painful Fits of the Chollick, which they said proceeded from the sharpness of the Humour which caused the Disease; and, amongst the rest, had one Fit which tormented him to that degree, that it was not expected he could out-live it; yet the Doctors delivered him from it in a small time: Notwithstanding, soon after

ter the Man died of his first Distemper. Whereas if their Art had arrived to have cured that (which was the Cause of the other) the Chollick had vanished of it self, and the Patient recovered. I need make no Application, nor shall need to say much of the Succession of the Crown (which is my next Province) but this I have said already, That it is needless to make any Provision against a Popish Successor if you rectifie your Government; and if you do not, all the Care and Circumspection you can use in that Particular, will be useless, and of none effect, and will but at last (if it do not go off easily, and the next Heir succeed peaceably, as is most likely, especially if the King live till the People's Zeal and Mettle is over) end probably in a Civil War about Title: and then the Person deprived may come in with his Sword in his Hand, and bring in upon the Point of it both the Popish Religion, and Arbitrary Power: Which, though I believe he will not be able to maintain long (for the Reasons before alledged,) yet that may make this Generation miserable and unhappy.

Doct.

Doff. But Sir, would you have the Parliament do nothing, as things stand, to provide (at least, as much as in them lies) that whoever succeeds be a good Protestant ?

Eng. Gent. Yes, I think it is their duty, in the first place to offer to His Majesty the true Remedy ; and if they find him averse to that, then to pursue the other which concerns the Succession, because the People (who are their Principals, and give them their Power) do expect something extraordinary from them at this time; and the most of them believe this last the only present means to save them from Popery, which they judge (and very justly) will bring in with it a change of Government. But then, I suppose, they may be encouraged to propose in the first place the true Cure ; not only because that is infallible, as has been proved, but likewise because His Majesty in probability, will sooner consent to any reasonable Demand towards the Reforming of the Government, and to the securing us that way, than to concur to the depriving his only Brother of the Crown. And possibly this latter (as I said before)

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may be the only way the Parliament can hope will prove effectual : For if you please to look but an Age back into our Story, you will find that *Henry* the Eighth did procure an Act of Parliament, which gave him power to dispose of the Crown by his last Will and Testament : and that he did accordingly make his said Will ; and by it devise the Succession to his Son *Edward* the Sixth, in the first place, and to the Heirs of his Body ; and for want of such, to his Daughter *Mary*, and to the Heirs of her Body ; and for want of which Heirs, to his Daughter *Elizabeth*, our once Sovereign of Immortal and Blessed Memory, and the Heirs of her Body ; and for want of all such Issue, to the right Heirs of his Younger Sister ; who was, before he made this Will, married to *Charles Brandon* Duke of *Suffolk*, and had Issue by him. By this Testament he disinherited his elder Sister, who was married into *Scotland* ; and by that means did, as much as in him lay, exclude His Majesty (who now, by God's Mercy, Reigns over us) as also his Father and Grandfather. And to make the Case stronger, there passed an Act long after,

in the Reign of Queen *Elizabeth*, That it should be Treason during that Queen's Life, and a Premunire afterwards, to assert that the Imperial Crown of *England* should not be disposed of by Act of Parliament: Yet after the Decease of that Queen, there was no considerable Opposition made to the peaceable Reception and Recognition of King *James* of happy Memory. And those who did make a little stir about the other Title, as the Lord *Cobham*, Sir *Walter Rawleigh*, and a few others, were apprehended and condemned according to Law. And, notwithstanding that, since, in the Reign of King *Charles* the First, there was a bloody Civil War, in which Men's Minds were exasperated at a high rate; yet in all the Course of it, the Original Want of Title was never objected against His late Majesty. I do not urge this to aver that the Parliament, with the King's Consent, cannot do lawfully this, or any other great Matter: which would be an incurring the Penalty of that Law, and a Sollecism in the Politicks: But to shew that when the Passions of Men are quietted, and the Reasons other than they were, it happens

often times that those Acts which concern the Succession fall to the Ground of themselves, and that even without the Sword, which in this Case was never adoperated. And that therefore this Remedy in our Case may be likely never to take place, if it please God the King live till this Nation be under other kind of Circumstances.

Doct. Sir, you say very well : but it seems to me, that the last Parliament was in some kind of Fault, if this be true that you say ; for I remember that my Lord Chancellor did once, during their Sitting, in His Majesty's Name offer them to secure their Religion and Liberties any way they could advise of, so they would let alone meddling with the Succession, and invited them to make any Proposals they thought necessary to that end.

Eng. Gent. *Hinc illæ lacrimæ.* If this had been all, we might have been happy at this time ; but this Gracious Offer was *In limine*, accompanied with such Conditions that made the Parliament conjecture that it was only to perplex and divide them ; and did look upon it as an Invention of some new Roman Counsellors

fellows (and those too, possibly, influenced
 by the *French*) to make them embrace
 the Shaddow for the Substance; and satisf-
 fying themselves with this Appearance, to
 do their ordinary Work of giving Money,
 and be gone, and leave the Business of
 the Kingdom as they found it. For it
 was proposed, that whatsoever Security
 we were to receive should be both Condi-
 tional and Reversionable: That is, First,
 We should not be put into Possession of
 this new Charter (be it what it will) till af-
 ter the death of His Majesty who now is;
 whereas such a Provision is desirable, and
 indeed necessary for us for this only rea-
 son, that when that unfortunate Hour
 comes, we might not be, in that Confu-
 sion, unprovided of a Calm, Setled and
 Orderly, as well as a Legal Way to keep
 out Popery. Whereas otherwise, if we
 be to take Possession in that Minute, it
 must either miscarry, or be gotten by a
 War; if it be true that Possession be Nine
 Points of the Law in other Cases, it is
 in this the whole Ten: and I should be
 very unwilling, in such a Distraction,
 to have no Sanctuary to fly to, but a
 peice of Parchment kept in the Pells; and

to have this too, as well as all other Advantages, in the Power and Possession of him in whose prejudice it was made: this had been almost as good an Expedient to keep out Popery, as the Bill which was thrown out that Parliament; which provided, that in the Reign of a King that should be a Papist, the Bishops should chuse one another upon Vacancies. Those Counsellors who put my Lord Chancellor upon this Proposal, were either very slender Politicians themselves, or else thought the Parliament so. If *Magna Charta* and *The Petition of Right* had not been to take place till after the Decease of those Princes who confirmed them, neither had the Barons shed their Blood to so good purpose, nor the Members of the Parliament in *Tertio Caroli*, deserved so Glorious an Imprisonment after it was ended. The other Condition in this renowned Proposal is, That all Provision and Security which is given us to preserve our Religion, shall cease immediately, when-ever the Prince shall take a certain Oath to be penned for that purpose; and I leave it to all thinking Men to determine what that will avail us, when we shall

shall have a King of that Profession over us, who shall not have so much Zeal for his Religion, as he who is now the next Successor hath; but shall possibly prefer his Ambition, and his desire to get out of Wardship, before the Scruples of his Confessor; and yet may afterwards, by getting Absolution for, and Dispensation from such Oaths and Compliance, employ the Power he gets himself, and the Security he deprives us of, to introduce violently what Worship and Faith he pleases. This Gracious Offer had the fatality to disgust one of the best Parliaments that ever Sate, and the most Loyal; so that laying it aside, they fell upon the Succession, the only thing they had then left, and were soon after Dissolved, leaving the Kingdom in a more distracted Condition than they found it; and this can no way be composed, but by mending the Polity. So that whoever is King cannot (be he never so inclined to it) introduce Popery, or destroy whatever Religion shall be established: as you see in the Example of the Dutchy of *Hanover*, whose Prince, some fourteen Years since, was perverted to the *Roman Church*, went to

Rome to abjure Heresie (as they call the truth) return'd home, where he lived and Governed as he did before, without the least Animosity of his Subjects for his Change, or any endeavour of his to Introduce any in his Government or People, and dying this last Spring, left the Peaceable and undisturbed Rule of his Subjects to the next Successour, his Brother the Bishop of *Osnaburg*, who is a Protestant, and this because the Polity of that Dukedom has been conserved entire for many years, and is upon a right Basis: and if our Case were so, we should not only be out of danger to have our Religion altered (as I said before) whoever is King, but should in other things be in a happy and flourishing condition; but I have made a long and tedious digression to answer your demands: Now 'tis time you assist me to find the Natural Cure of all our Mischiefs.

Doct. Stay, Sir, I confess my self to be wonderfully Edified with your discourse hitherto, but you have said nothing yet of the Duke of *Monmouth*.

Eng. Gent. I do not think you desire it, though you were pleased to mention such

such a thing, for I suppose you cannot think it possible, that this Parliament (which is now speedily to meet by His Majesties Gracious Proclamation) can ever suffer such a thing to be so much as Debated amongst them.

Doct. Sir, you have no reason to take that for granted, when you see what Books are Printed, what great and Honourable Persons frequent him in private, and countenance him in publick; what shoals of the middle sort of People have in his Progress this Summer met him before he came into any great Town, and what Acclamations and Bon-fires have been made in places where he lodged.

Eng. Gent. These things I must confess, shew how great a Distemper the People are in, and the great reason we have to pray God of his Mercy to put an end to it by a happy Agreement in Parliament. But certainly this proceeds only from the hatred they have to the next Successour and his Religion, and from the compassion they have to the Duke of *Monmouth* (who as they suppose, hath suffered banishment and dis-favour at Court, at his Instance) and not from any hopes or
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expectations that the Parliament will countenance any pretence that can be made in his behalf to the Succession.

Dost. It may be when we have discoursed of it, I shall be of your mind, (as indeed I am enclined already) But yet nothing in War is more dangerous than to contemn an Enemy ; so in this Argumentation that we use to secure our Liberties, we must leave nothing unanswered that may stand in the way of that, especially the Duke of *Monmouth's* Claim, which is pretended to confirm and fortifie them, for (say some Men) if you set him up, he will presently pass all Bills that shall concern the Safety and Interest of the People ; And so we shall be at rest for ever.

Eng. Gent. Well, I see I must be more tedious than I intended ; First then, the reasoning of these men you speak of, does in my apprehension , suppose a thing I cannot mention without horreur, which is, That this Person should be admitted immediately to the Possession of the Crown to do all these fine Matters ; for otherwise, if he must stay till the Death of our Sovereign who now Reigns (which I hope

I hope and pray will be many years possibly these delicate Bills may never pass, nor he find hereafter the People in so good a humour to admit him to the Reversion, which if it could be obtain'd (as I think it impossible Politically) yet the Possession must be kept by a standing Army, and the next Successour cannot have a better Game to play, nor a better Adversary to deal with, than one who leaps in over the Heads of almost all the Protestant Princes Families abroad, besides some Papists who are greater; and when we have been harrassed with Wars, and the miseries that accompany it some few years, you shall have all these fine People, who now run after him, very weary of their new Prince; I would not say any thing to disparage a Person so highly born and of so early merit; but this I may say, That if a Lawful Title should be set on foot in his favour, and a thousand *Dutch* Hosts, and such like, should swear a Marriage, yet no sober Man, that is not blinded with prejudice will believe, That our King (whom none can deny to have an excellent understanding) would ever Marry a Woman so much his Inferiour

riour as this great Persons Mother was; and this at a time when his Affairs were very low, and he had no visible or rational hopes to be restored to the Possession of his Kingdoms but by an assistance which might have been afforded him by some great Foreign Alliance. Well, but to leave all this, do these Men pretend that the Duke of *Monmouth* shall be declared Successour to the Crown in Parliament, with the King's Concurrence or without it; if without it, you must make a War for it, and I am sure that no Cause can be stated upon such a point, that will not make the Assertors and Undertakers of it be condemned by all the Politicians and Moralists of the World, and by the Casuists of all Religions, and so by consequence, it is like to be a very unsuccessful War. If you would have this declar'd with the King's Consent, either you suppose the Royal Assent to be given, when the King has his liberty either to grant it, or not grant it; to Dissolve the Parliament, or not Dissolve it, without ruine or prejudice to his Affairs: If in the first Case, it is plain he will not grant it, because he cannot do
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it without confessing his Marriage to that Duke's Mother, which he hath already declared against in a very solemn manner, and caused it to be Registred in Chancery; and which not only no good Subject can chuse but believe, but which cannot be doubted by any rational person; for it would be a very unnatural, and indeed a thing unheard of, that a Father who had a Son in Lawful Matrimony, and who was grown to perfection, and had signalized himself in the Wars, and who was ever entirely beloved by him, should disinherit him by so solemn an asseveration (which must be a false one too) to cause his Brother to succeed in his room. And whereas it is pretended by some, that His Majesties danger from his Brothers Counsels and Designs may draw from him something of this; beside that they do not much Complement the King in this, it is clear, his Brother is not so Popular, but that he may secure him when he pleases, without hazard, if there were any ground for such an apprehension. But we must in the next place suppose that the King's Affairs were in such a posture, that he could deny the

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the Parliament nothing without very great mischief, and inconvenience to himself and the Kingdom; then I say, I doubt not, but the Wisdom of the Parliament will find out divers Demands and Requests to make to His Majesty of greater benefit, and more necessary for the good of his People than this would be; which draws after it not only a present unsetledness, but the probable hazard of Misery and Devastation for many years to come, as has been proved. So that on the one side the Parliament could not make a more unjustifiable War than upon this Account, so they could not be Dissolved upon any occasion wherein the People would not shew less discontent and resentment, and for which the Courtiers would not hope to have a better pretext, to strive in the next Choice to make their Arts and Endeavours more successful in the Election of Members more suitable to their Designs for the continuance of their present mis-government; For if this Parliament do mis-spend the Peoples Mettle, which is now up, in driving that Nail which cannot go, they must look to have it cool, and so the Ship of this
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Commonwealth, which if they please may be now in a fair way of Entering into a Safe Harbour, will be driven to Sea again in a Storm, and must hope for, and expect another favourable Wind to save them; and God knows when that may come.

Noble Ven. Well, Sir, your Reasoning in this point has extreamly satisfied me; and the Doctor, I suppose, was so before as he averred, therefore pray let us go on where we left.

Eng. Gent. I cannot take so much upon me as to be Dictator in the Method of our Cure, since either of you is a thousand times better qualified for such an Office, and therefore shall henceforth desire to be an Auditor.

Doct. Pray, Sir, let us not spend time in Complements, but be pleased to proceed in this business, and we doubt not but as you have hitherto wonderfully delighted us, so you will gratifie us in concluding it.

Eng. Gent. I see I must obey you, but pray help me, and tell me in the first place, whether you do not both believe, that as the *causa causarum* of all our Distractions

stractions is (as has been proved) the breach of our Government; so that the immediate Causes are two: First, The great distrust on both sides between the King and his People and Parliament; the first fearing that his Power will be so lessened by degrees, that at length it will not be able to keep the Crown upon his head: And the latter seeing all things in disorder, and that the Laws are not executed (which is the second of the two Causes) fear the King intends to change the Government, and be Arbitrary.

Noble Ven. I am a Stranger, but (though I never reflected so much upon the Original Cause, as I have done since I heard you discourse of it) yet I ever thought that those two were the Causes of the Unquietness of this Kingdom: I mean the Jealousie between the King and his People, and the Inexecution of the great Laws of Calling Parliaments Annually, and letting them sit to dispatch their Affairs, I understand this in the time of His Majesties Grand-Father, and Father, more than in His own Reign.

Eng.

Eng. Gent. Then whoever can absolutely lay these two Causes asleep for ever, will arrive to a perfect Cure; which I conceive no way of doing, but that the King have a great deal more Power or a great deal less: And you know that what goes out of the King must go into the People, and so *vice versa*: Inſomuch that the People must have a great deal more Power, or a great deal less: Now it is no question, but either of these two, would rather encrease their Power than diminish it; so that if this cannot be made up by the Wisdom of this Age, we may see in the next, that both the King will endeavour to be altogether without a Parliament, and the Parliament to be without a King.

Doct. I begin to smell, that you would be nibbling at the pretence which some had before His Majesties Restauration of a Commonwealth or Democracy.

Eng. Gent. No, I abhor the thoughts of wishing, much less endeavouring any such thing, during these Circumstances we are now in; That is, under Oaths of Obedience to a Lawful King. And truly if any *Themistocles* should make to me

such a Proposal, I should give the same Judgment concerning it, that *Aristides* did in such a Case. The Story is short; After the War between the *Greeks* and the *Persians* was ended, and *Xerxes* driven out of *Greece*, the whole Fleet of the *Grecian* Confederates (except that of *Athens* which was gone home) lay in a great Arsenal (such as were then in use) upon the Coast of *Attica*; during their abode there, *Themistocles* harranges one day the People of *Athens* (as was then the Custome) and tells them, that he had a design in his head, which would be of Infinite profit and advantage to the Commonwealth; But that it could not be executed without the Order and Authority of them, and that it did likewise require secrecie, and if it were declared there in the Market-place, where Strangers as well as Citizens might be present, it could not be concealed, and therefore proposed it to their consideration what should be done in it, it was at length concluded that *Themistocles* should propose it to *Aristides*, and if he did next morning acquaint the People that he gave his approbation to it, it should be proceeded in: *Themistocles* informs

forms him that the whole Fleet of their Confederates in the War against the *Modes* had betaken themselves to the great Arsenal upon their Coast, where they might be easily fired, and then the *Athenians* would remain absolute Masters of the Sea, and so give Law to all *Greece*; when *Aristides* came the next day to deliver his Judgment to the People, he told them that the business proposed by *Themistocles*, was indeed very advantageous, and profitable to the *Athenians*; But withal, the most Wicked and Villanous Attempt that ever was undertaken; upon which it was wholly laid aside. And the same Judgment do I give, *Doctor*, of your *Democracy* at this time. But to return to the place where I was, I do believe that this difference may easily be terminated very fairly, and that our House need not be pulled down, and a new one built; but may be very easily repair'd, so that it may last many hundred years.

Noble. Ven. I begin to perceive that you aim at this, That the King must give the People more Power, as *Henry the Third*, and *King John* did, or the Parliament must give the King more, as you

said they did in *France* in the time of *Lewis* the Eleventh, or else that it will come in time to a War again.

Eng. Gent. You may please to know, that in all times hitherto, the Parliament never demanded any thing of the King, wherein the Interest and Government of the Kingdom was concerned (excepting Acts of Pardon) but they founded their demands upon their Right, not only because it might seem unreasonable for them to be earnest with him to give them that which was his own, but also because they cannot chuse but know, that all Powers which are Fundamentally and Lawfully in the Crown, were placed there upon the first Institution of our Government; to capacitate the Prince to Govern and Protect his People: So that for the Parliament to seek to take from him such Authority, were to be *felo de se*, as we call a self-Homicide; but as in some Distempers of the Body the Head suffers as well as the Inferiour parts, so that it is not possible for it, to order, direct and provide for the whole Body as its Office requires, since the Wisdom and Power which is placed there, is given by God
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to that end; In which Case, though the Distemper of the Body may begin from the Disease of some other part, or from the mass of Blood, or putrifaction of other Humours, yet since that noble part is so affected by it, that Reason and Discourse fails, therefore to restore this again, Remedies must be apply'd to, and possibly Humours or Vapours drawn from the Head it self, that so it may be able to Govern and Reign over the Body as it did before, or else the whole Man, like a Slave, must be ruled and guided *ab extrinseco*, that is by some Keeper: So it is now with us, in our Politick Disease, where granting (if you please) that the Distemper does not proceed from the Head, but the Corruption of other parts, yet in the Cure, Applications must be made to the Head as well as to the Members, if we mean poor *England* shall recover its former perfect health, and therefore it will be found, perhaps, Essential to our Being, to ask something (in the condition we now are) to which the King as yet may have a Right; and which except he please to part with, the *Phænomena* of Government cannot be salved; That

is, our Laws cannot be executed ; nor *Magna Charta* it self made practicable ; and so both Prince and People, that is, the Polity of *England* must die of this Disease, or by this *Delirium* must be Governed, *ab extrinseco*, and fall to the Lot of some Foreign Power.

Noble Ven. But, Sir, since the business is come to this *Dilemma*, why may not the King ask more Power of the Parliament as well as they of him ?

Eng. Gent. No question but our present Counsellours and Courtiers would be nibbling at that bait again, if they had another Parliament that would take Pensions for their Votes ; But in one that is come fresh from the People, and understand their Sence and Grievances very well, I hardly believe they will attempt it, for both Council and Parliament must needs know by this time-a-day, that the Cause of all our Distractions coming (as has been said an hundred times) from the King's having a greater Power already than the condition of Property at this present can admit, without Confusion and Disorder ; It is not like to mend Matters for them to give him more, except they

they will deliver up to him at the same instant their Possessions, and Right to their Lands, and become Naturally and Politically his Slaves.

Noble Ven. Since there must be a voluntary parting with Power, I fear your Cure will prove long and ineffectual, and we Reconcilers shall, I fear, prove like our devout *Cappuchin* at *Venice*; this poor Mans name was *Fra. Barnardino da Udine*, and was esteemed a very holy Man, as well as an excellent Preacher, insomuch that he was appointed to Preach the *Lent* Sermons in one of our principal Churches, which he performed at the beginning with so much Eloquence, and Applause, that the Church was daily crouded three hours before the Sermon was to begin; the esteem and veneration this poor Fryar was in, elevated his Spirit a little too high to be contained within the bounds of Reason; but before his *Delirium* was perceived, he told his Auditory one day, that the true Devotion of that People, and the care they had to come to hear his words Preached, had been so acceptable to God and to the Virgin, that they had vouchsafed to Inspire

him with the knowledge of an Expedient, which he did not doubt, but would make Men happy & just even in this Life, & that the Flesh should no longer lust against the Spirit ; but that he would not acquaint them with it at that present, because something was to be done on their parts to make them capable of this great Blessing, which was to pray zealously for a happy Success upon his Endeavours, and to Fast, and to visit the Churches to that end, therefore he desired them to come the *Wednesday* following to be made acquainted with this blessed Expedient. You may Imagine how desirous our People were, to hear something more of this Fifth-Monarchy ; I will shorten my Story, and tell you nothing of what crouding there was all night, and what quarrelling for places in the Church ; nor with what difficulty the *Saffi*, who were sent by the Magistrate to keep the Peace, and to make way for the Preacher to get into the Pulpit, did both ; But up he got, and after a long preamble of desiring more Prayers, and Addressing himself to our Senate to Mediate with the Pope, that a week might be set apart for a Jubilee and

Fasting

Fasting three days all over the Christian World, to storm Heaven with Masses, Prayers, Fasting and Almes to prosper his Designs; he began to open the Matter, that the Cause of all the Wickedness and Sin, and by Consequence of all the Miseries and Affliction which is in the World, arising from the enmity which is between God and the Devil, by which means God was often cross'd in his Intentions of good to Mankind here, and hereafter, the Devil by his temptations making us uncapable of the Mercy and Favour of our Creator, therefore he had a Design (with the helps before mentioned) to mediate with Almighty God, That he would pardon the Devil, and receive him into his Favour again after so long a time of Banishment and Imprisonment, and not to take all his Power from him, but to leave him so much as might do good to Man, and not hurt; which he doubted not but he would imploy that way, after such reconciliation was made, which his Faith would not let him question. You may judge what the numerous Auditory thought of this; I can only tell you, that he had a different sort
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of Company at his return, from what he had when he came, for the Men left him to the Boys, who with great Hoops instead of Acclamations, brought him to the *Gondola*, which conveyed him to the *Redentor*, where he lodged ; And I never had the curiosity to enquire what became of him after.

Doct. I thank you heartily for this Intermeſs ; I ſee you have learnt ſomething in *England* : for, I aſſure you, we have been theſe twenty Years turning this, and all ſerious Diſcourſes, into Ridicule ; but yet your Similitude is very pat ; for in every Parliament that has been in *England* theſe fixty Years, we have had notable Conteſts between the Seed of the Serpent, and the Seed of the Woman.

Eng. Gent. Well Sir, we have had a *Michael* here in our Age, who has driven out *Lucifer*, and reſtored the true Deity to his Power : but where Omnipotency is wanting (which differs the Frier's Caſe and mine) the Devil of Civil War and Confuſion may get up again, if he be not laid by Prudence and Vertue, and better Conjurers than any we have yet at Court.

Noble

Noble Ven. Well Gentlemen, I hope you have pardoned me for my Farce. But, to be a little more serious, pray tell me how you will induce the King to give up so much of his Right as may serve your turn? Would you have the Parliament make War with him again?

Eng. Gent. There cannot, nor ought to be, any Change, but by His Majesty's free Consent; for besides, that a War is to be abhorred by all Men that love their Country, any Contest of that kind in this Case (*viz.* to take away the least part of the Kings Right) could be justified by no man living. I say, besides that, a Civil War has miscarried in our days, which was founded (at least pretendedly) upon Defence of the People's own Rights: In which, although they had as clear a Victory in the end, as ever any Contest upon Earth had, yet could they never reap the least advantage in the World by it: but went from one Tyranny to another, from *Barebones* Parliament, to *Cromwell's* Reign; from that, to a Committee of Safety; leaving those Grave Men, who managed Affairs at the beginning, amazed to see new Men, and new Prin.

Principles Governing *England*. And this induced them to Co-operate to bring things back juſt where they were before the War. Therefore this Remedy will be either none, or worſe than the Diſeaſe: It not being now as it was in the Barons time, when the Lord who led out his Men, could bring them back again when he pleaſed, and Rule them in the mean time, being his Vaſſals. But now there is no Man of ſo much Credit, but that one who behaves himſelf bravely in the War, ſhall out-vye him; and, poſſibly, be able to do what he pleaſes with the Army and the Government: And in this corrupt Age, it is ten to one, he will rather do Hurt than Good with the Power he acquires. But becauſe you ask me how we would perſwade the King to this? I answer, by the Parliament's humbly Remonſtrating to His Maſteſty, that it is his own Intereſt, Preſervation, Quiet and true Greatneſs, to put an end to the Diſtractions of his Subjects, and that it cannot be done any other way, and to deſire him to enter into debate with ſome Men Authorized by them, to ſee if there can be any other means than what they
ſhall

shall offer to compose things : if they find there may, then to embrace it, otherwise to insist upon their own Proposals : and if in the end they cannot obtain those Requests, which they think the only essential means to preserve their Country, then to beg their Dismission, that they may not stay, and be Partakers in the Ruin of it. Now, my Reasons why the King will please to grant this, after the through discussing of it, are two. First, Because all great Princes have ever made up Matters with their Subjects upon such Contest, without coming to Extremities. The two Greatest, and most Valiant of our Princes, were *Edward* the First, and his Grandchild *Edward* the Third : these had very great Demands made them by Parliaments, and granted them all ; as you may see upon the Statute-Book. *Edward* the Second, and *Richard* the Second, on the contrary, refused all things till they were brought to Extremity. There is Memorable Example in the Greek Story of *Theopompus* King of *Sparta* ; whose Subjects finding the Government in disorder for want of some Persons that might be a Check upon the

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great Power of the King, proposed to him the Creation of the *Ephores* (Officers who made that City so Great and Famous afterwards.) The King finding by their Reasons (which were unanswerable, as I think ours now are,) that the whole Government of *Sparta* was near its Ruin, without such a Cure; and considering that he had more to lose in that Disorder than others, freely granted their desires; for which being derided by his Wife, who asked him what a kind of Monarchy he would leave to his Son? answered, a very good one, because it will be a very lasting one. Which brings on my Second Reason, for which I believe the King will grant these things; because he cannot any way mend himself, nor his Condition, if he do not.

Noble Ven. You have very fully convinced me of two things: First, That we have no reason to expect or believe that the Parliament will ever increase the Kings Power: And then, that the King cannot by any way found himself a New, and more absolute Monarchy, except he can alter the Condition of Property, which I think we may take for granted

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to be impossible. But yet, I know not why we may not suppose that (although he cannot establish to all Posterity such an Empire) he may, notwithstanding, change the Government at the present; and calling Parliaments no more, administer it by force, as it is done in *France*, for some good time.

Eng. Gent. in *France* it has been a long Work; and although that Tyranny was begun, as has been said, by Petition from the State themselves, not to be assembled any more; yet the Kings since, in time of great Distraction, have thought fit to convocate them again; as they did in the Civil Wars thrice: Once at *Orleans*, and twice at *Blois*. I would not repeat what I have so tediously discoursed of concerning *France* already, but only to intreat you to remember that our Nation has no such poor and numerous Gentry, which draw better Revenues from the King's Purse, than they can from their own Estates; all our Country People consisting of Rich Nobility and Gentry, of Wealthy Yeomen, and of Poor Younger Brothers, who have little or nothing, and can never raise their Companies, if
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they should get Commissions, without their Elder Brothers Assistance amongst his Tenants, or else with the free consent and desire of the People, which, in this case, would hardly be afforded them. But we will suppose there be idle People enough to make an Army, and that the King has Money enough to Arm and Raise them: And I will grant too, to avoid tediousness (although I do not think it possible) that the People will at the first, for fear, receive them into their Houses, and Quarter them against Law; nay, pay the Money which shall be by Illegal Edicts, imposed upon the Subjects to pay them; Yet is it possible An Army can continue any time to enslave their own Country? Can they resist the Prayers, or the Curses of their Fathers, Brothers, Wives, Mothers, Sisters, and of all Persons wherever they frequent. Upon this Account all the *Greek* Tyrants were of very short Continuance; who being in chief Magistracy and Credit in their Commonwealths, by means of Soldiers and *Satellites*, usurped the Sovereignty. But did ever any of them, excepting *Dionysius*, leave it to his Family? Many Armies

mies of the Natives have destroyed Tyrannies : So the *Decemvirate* was ruined at *Rome*, the *Tarquins* expelled before that: Our own Country has been a Stage, even in our time, where this Tragedy has been sufficiently acted ; for the Army, after the War was done, fearing the Monarchy should be restored again, held Councils, got Agitators ; and though there were often very severe Executions upon the Ring-leaders, did at length, by their perseverance, necessitate their Officers to joyn with them (having many good Head-pieces of the Party to advise them ;) and so broke all Treaties. And the Parliament too, adhering to a small Party of them who consented to lay aside Kingly Government, and afterwards drove them away too, fearing they would continue to Govern in an Oligarchy. I am far from approving this way they used, in which they broke all Laws, Divine and Humane, Political and Moral : But I urge it only to shew how easily an Army of Natives is to be deluded with the Name of Liberty, and brought to pull down any thing which their Ring-leaders tell them tends to enslaving their Country. 'Tis true, this Army was af-
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terwards cheated by their General ; who without their Knowledge , much less Consent, one Morning, suddenly made himself Tyrant of his Country. It is as true, that their Reputation (not their Arms) supported him in that State for some time ; but it is certain that they did very often, and to the last, refuse to be instrumental to levy Moneys, though for their own Pay : and so he, against his Will, was fain to call from time to time Parliamentary Conventions. And it is most certain that he did, in the Sickness of which he died , often complain that his Army would not go a step farther with him : and, *de facto*, some Months after his death, they did dethrone his Son, and restore the Remainder of the old Parliament, upon promise made to them in secret (by the Demagogue of that Assembly) that a Commonwealth should be speedily framed and settled.

Noble Ven. Sir, I am satisfied that an Army raised here on a sudden, and which never saw an Enemy , could not be brought to act such high things for the Ruin of their own Government ; nor possibly, would be any way able to resist the Fury and Insurrection of the People.
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But what say you of a Forreign Army, raised by your King abroad, and brought over, whose Officers and Soldiers shall have no Acquaintance or Relations amongst the People here.

Eng. Gent. All Forces of that kind must be either Auxiliaries or Mercenaries; Auxiliaries are such as are sent by some Neighbour Prince or State, with their own Colours, and paid by themselves; though possibly, the Prince who demands them may furnish the Money. These usually return home again, when the occasion, for which they were demanded, is over: But whether they do or not, if they be not mixed and over-ballanced with Forces which depend upon the Prince who calls them, but that the whole Weight and Power lies in them, they will certainly, first or last, seize that Country for their own Sovereign. And as for Mercenaries, they must be raised ('tis true) with the Money of the Prince who needs them, but by the Authority and Credit of some Great Persons who are to Lead and Command them; And these, in all Occasions, have made their own Commander Prince; as *F. Sforza* at Milan drove out by this trick the *Visconti*, ancient

Dukes of that State, and the *Mamalukes* in *Egypt* made themselves a Military Commonwealth. So that the way of an Army here would either be no Remedy at all, or one very much worse than the Disease to the Prince himself.

Noble Ven. Well Sir, I begin to be of Opinion, that any thing the King can grant the Parliament (especially such a Parliament as this is, which consists of Men of very great Estates, and so can have no Interest to desire Troubles) will not be so inconvenient to him, as to endeavour to break the Government by force. But why may he not, for this time, by soothing them, and offering them great Alliances abroad for the Interest of *England*, and ballancing Matters in *Europe* more even than they have been; and, in fine, by offering them a War with the *French*, to which Nation they have so great a hatred; lay them asleep, and get good store of Mony, and stave off this severe Cure you speak of, at least, for some time longer?

Eng. Gent. There has been something of this done too lately; and there is a Gentleman lies in the Tower, who is to answer for it. But you may please to under-

understand, that there is scarce any amongst the middle sort of People, much less within the Walls of the House of Commons, who do not perfectly know, that we can have no Alliance with any Nation in the World that will signifie any thing to them, or to our selves, till our Government be redressed and new modelled. And therefore, though there were an Army Landed in this Island, yet that we must begin there, before we are fit to repulse them, or defend our selves. And the fear and sense of this People universally is, that if we should have any War, either for our own Concerns, or for those of our Allies, whilst Matters remain as they do at home, it would certainly come to this pass; that either being beaten, we should subject this Kingdom to an Invasion, at a time when we are in a very ill condition to repell it; or else, if we were Victorious, that our Courtiers and Counsellors *in fragrante*, or as the *French* cry, *d'emble*, would employ that Mettle and good Fortune to try some such Conclusions at home as we have been discoursing of. And therefore, if any War should be undertaken without Parliament, you should see the People rejoyce as much

at any disaster our Forces should receive, as they did when the *Scots* seized the four Northern Counties in 1639. or before that, when we were beaten at the Isle of *Rhee*, or when we had any Loss in the last War with *Holland*. And this Joy is not so unnatural as it may seem to those who do not consider the Cause of it ; which is the breach of our old Government, and the necessity our Governors are under to make some new Experiments : And the fear we are in, that any Prosperity may make them able to try them, either with Effect, or at least with Impunity. Which Consideration made a Court-Droll say lately to His Majesty, (who seemed to wonder why his Subjects hated the *French* so much ;) Sir, it is because you love them, and espouse their Interest : And if you would discover this Truth clearly, you may please to make War with the King of *France* ; and then you shall see, that this People will not only love them, but take their parts, and wish them Success ; but will exceedingly rejoyce when they are Victorious in sinking your Ships, or defeating your Forces. And this is sufficient to answer your Proposal for Alliances abroad, and for a War
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with *France*. Besides this (to wind all up in a Word) it is not to be imagined; that so good and wise a Prince as we have at this time should ever be induced (when he comes to understand perfectly his own Condition) to let his own Interest (granting his Power to be so, which is very false) contest with the Safety and Preservation of his People, for which only it was given him; or that he will be any way tenacious of such Prerogatives, as now, by a natural Revolution of Political Circumstances, are so far from continuing useful to his Governing the People, that they are the only *Remora* and Obstacle of all Government, Settlement and Order. For His Majesty must needs know, that all Forms of regulating Mankind under Laws were ordained by God and Man, for the Happiness and Security of the Governed, and not for the Interest and Greatness of those who Rule; unless where there is *Melior Natura* in the Case. So God Governs Man for his own Glory only, and Men Reign over Beasts for their own Use and Service; and where an Absolute Prince rules over his own Servants whom he feeds and pays (as we have said,) or the Master of a great and numerous Family Governs

his Household ; they are both bound by the Law of God and Nature, and by their own Interest, to do them Justice, and not *Insæuire* or Tyranize over them, more than the necessity of preserving their Empire and Authority requires.

Doct. But Sir, considering the difficulty which will be found in the King, and possibly in the Parliament too, to come up to so great an alteration at the first, and the danger that may happen by our remaining long in this unsettled Condition, which does hourly expose us to innumerable hazards, both at home, and from abroad ; why may we not begin, and lay the Foundation now, by removing all His Majesty's present Council by Parliament ; which is no new thing, but hath been often practised in many Kings Reigns ?

Eng. Gent. First, the Council, that is, the Privy Council which you mean, is no part of our Government, as we may have occasion to shew hereafter, nor is the King obliged by any Fundamental Law, or by any Act of Parliament to hearken to their Advice, or so much as to ask it ; and if you should make one on purpose, besides that it would not be so effectual

effectual as what we may propose, it would be full as hard to go down either with King or Parliament. But besides all this, you would see some of these Counsellours so nominated by Parliament, perhaps prove honest, and then they would be forced to withdraw as some lately did, because they found, I suppose, that till the Administration be alter'd, it is impossible that their Councils can be embraced, or any thing be acted by them which may tend to the good of their Country, those who have not so great a sense of Honour and Integrity, will be presently corrupted by their own Interest, whilst the Prince is left in possession of all those baits and means to answer such Mens expectations: It being most certain, that if you have a musty Vessel, and by consequence dislike the Beer which comes out of it, and draw it out, causing the Barrel to be immediately fill'd with good and sound Liquor, it is certain by experience, that both your new Drink, and all that ever you shall put into the Cask, till it be taken in pieces, and the Pipes shav'd, and new model'd, will be full as musty, and unsavoury as the first which you found fault with.

Noble

Noble Ven. Now, Sir, I think we are at an end of our Questions, and I for my part am convinced, that as the King cannot better himself any way by falling out with his People at this time, so that his goodness and wisdom is such, that he will rather chuse to imitate the most glorious and generous of his Predecessors, as *Edward the First*, and *Edward the Third*, than those who were of less worth, and more unfortunate, as *Edward the Second*, and *Richard the Second*. And therefore we are now ready to hear, what you would think fit to ask of so excellent a Prince.

Eng. Gent. I never undertook to be so presumptuous; there is a Parliament to sit speedily, and certainly they are the fittest every way to search into such matters; and to anticipate their wisdom would be unreasonable, and might give them just offence. But because all this tittle tattle may not go for nothing, I shall presume to give you my thoughts, how the Cure must be wrought, without descending to particulars. The Cause Immediate (as we have said) of our Disease, is the inexecution of our Laws; and it is most true, that when that is alter'd for the

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the better, and that all our Laws are duly executed, we are in health; for as we can never have the entire benefit of them, till our Government is upon a right Basis; so whenever we enjoy this happiness, to have the full benefit of those Constitutions, which were made by our Ancestors for our safe and orderly living, our Government is upon a right Basis; therefore we must enquire into the Cause why our Laws are not executed, & when you have found and taken away that Cause, all is well. The Cause can be no other than this, That the King is told and does believe, that most of these great Charters or Rights of the People, of which we now chiefly treat, are against his Majesties Interest, though this be very false (as has been said) yet we will not dispute it at this time, but take it for granted, so that the King having the Supream execution of the Laws in his hand, cannot be reasonably supposed to be willing to execute them whenever he can chuse whether he will do it or no; it being natural for every man not to do any thing against his own Interest when he can help it; now when you have thought well what it should be that gives the King a Liberty

to chuse whether any part of the Law shall be currant or no, you will find that it is the great Power the King enjoys in the Government; when the Parliament hath discovered this, they will no doubt demand of his Majesty an abatement of his Royal Prerogative in those matters only which concern our enjoyment of our All, that is our Lives, Liberties and Estates, and leave his Royal Power entire and untoucht in all the other branches of it, when this is done, we shall be as if some great Heroe had performed the adventure of dissolving the Inchantment we have been under so many years. And all our Statutes from the highest to the lowest, from *Magna Charta* to that for burying in Woollen will be current, and we shall neither fear the bringing in Popery, nor Arbitrary Power in the Intervals of Parliament, neither will there be any Dissentions in them; all Causes of Factions between the Country and Court-party being entirely abolisht; so that the People shall have no reason to distrust their Prince, nor he them.

Doct. You make us a fine Golden Age, but after all this will you not be pleased to shew us a small prospect of this *Canaan*,
or

or Country of rest ; will you not vouchsafe to particularise a little what Powers there are in the King, which you would have discontinued : would you have such Prerogatives abolished, or placed elsewhere ?

Eng. Gent. There can be no Government if they be abolished. But I will not be like a Man who refuses to sing amongst his Friends at their entreaty, because he has an ill Voice ; I will rather suffer myself to be laught at by you in delivering my small Judgment in this Matter, but still with this Protestation, that I do believe that an Infinity of Men better qualify'd than my self for such sublime Matters, and much more the House of Commons, who represent the Wisdom as well as the Power of this Kingdom, may find out a far better way, than my poor Parts and Capacity can suggest. The Power then which now being in the Crown do hinder the execution of our Laws, and prevent by consequence our happiness and settlement, are four ; The absolute Power of making War and Peace, Treaties and Alliances with all Nations in the World, by which means, by Ignorant Counsellours, or Wicked Ministers, many
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of our former Kings have made Confederations and Wars, very contrary, and destructive to the Interest of *England*, and by the unfortunate management of them have often put the Kingdom in great hazard of Invasion: Besides that, as long as there is a distinction made between the Court Party and that of the Country, there will ever be a Jealousie in the People, that those wicked Counsellours (who may think they can be safe no other way) will make Alliances with Powerful Princes, in which there may be a secret Article by which those Princes shall stipulate to assist them with Forces upon a short warning to curb the Parliament, and possibly to change the Government. And this apprehension in the People will be the less unreasonable, because *Oliver Cromwel* (the great Pattern of some of our Courtiers) is notoriously known to have Inserted an Article, in his Treaty with Cardinal *Mazzarin*, during this King of *France's* Minority, That he should be assisted with ten thousand Men from *France* upon occasion to preserve and defend him in his Usurped Government, against His Majesty that now is, or the People of *England*, or in fine, his own Army, whose re-

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volt he often feared. The Second great Prerogative the King enjoys, is the sole Disposal and Ordering of the Militia by Sea and Land, Raising Forces, Garrisoning and Fortifying places, Setting out Ships of War, so far as he can do all this without putting Taxations upon the People; and this not only in the Intervals of Parliament, but even during their Session, so that they cannot raise the Train-bands of the Country or City to guard themselves, or secure the Peace of the Kingdom. The third point is, That it is in His Majesties Power to Nominate and Appoint as he pleases, and for what time he thinks fit, all the Officers of the Kingdom that are of Trust or Profit, both Civil, Military, and Ecclesiastical, (as they will be called) except where there is *Jus patronatus*; These two last Powers may furnish a Prince who will hearken to ill designing Counsellours, with the means either of Invading the Government by Force, or by his Judges and other Creatures undermining it by Fraud; Especially by enjoying the Fourth Advantage, which is the Laying out and Imploying, as he pleases, all the Publick Revenues of the Crown or Kingdom, and that with-

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out having any regard (except he thinks fit) to the necessity of the Navy, or any other thing that concerns the Safety of the Publick. So that all these Four great Powers, as things now stand, may be ad-operated at any time, as well to destroy and ruine the good Order and Government of the State, as to preserve and support it as they ought to do.

Nob. Ven. But if you divest the King of these Powers, will you have the Parliament sit always to Govern these Matters?

Eng. Gent. Sir, I would not divest the King of them, much less would I have the Parliament assume them, or perpetuate their Sitting: They are a Body more fitted to make Laws, and punish the Breakers of them, than to execute them. I would have them therefore petition His Majesty by way of Bill, that he will please to exercise these four great *Magnalia* of Government, with the Consent of four several Councils to be appointed for that end, and not otherwise; that is, with the Consent of the Major part of them, if any of them dissent. In all which Councils His Majesty, or who he pleases to appoint, shall preside; the
Councils

Councils to be named in Parliament; first all the number, and every Year afterwards a third part: So each Year a third part shall go out, and a Recruit of an equal number come in: And in three Years they shall be all new, and no Person to come into that Council, or any other of the four, till he have kept out of any of them full three Years, being as long as he was in. And this I learnt from your *Quarantia's* at *Venice*: and the Use is excellent; for being in such a Circulation, and sure to have their Intervals of Power, they will neither grow so insolent as to brave their King, nor will the Prince have any occasion to corrupt them, although he had the means to do it, which in this new Model he cannot have. These Men in their several Councils should have no other Instructions, but to dispose of all things, and act in their several Charges, for the Interest and Glory of *England*; and shall be Answerable to Parliament, from time to time, for any malicious or advised Misdemeanor: only that Council which manages the Publick Revenue, shall (besides a very copious and Honourable Revenue which shall be left to His Majesty's disposal for his own

Entertainment, as belongs to the Splendor and Majesty of the Government) have Instructions to serve His Majesty (if he pleases to command them, and not otherwise) in the regulating and ordering his Oeconomy and Household ; and if they shall see it necessary, for extraordinary Occasions of treating Foreign Princes and Ambassadors, or Presenting them, and the like Ostentation of Greatness; to consent with His Majesty moderately to charge the Revenue to that end. I verily believe that this Expedient is much more effectual than either the *Justitia* of *Aragon* was, or the *Ephores* of *Sparta* : Who being to check the King almost in every thing, without having any share in his Councils, or understanding them, could not chuse but make a fullen posture of Affairs ; whereas these both seem, and really are the King's Ministers, only obliged by Parliament to act faithfully and honestly ; to which, even without that, all other Counsellors are bound by Oath. As for the other Council, now called the Privy Council, the King may still please to continue to nominate them at his pleasure, so they act nothing in any of the Matters properly within the Jurisdiction
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of these four Councils, but meddle with the Affairs of Merchants, Plantations, Charters, and other Matters, to which the Regal Power extendeth. And provided that His Majesty call none of the Persons employed in these other four Councils during their being so, nor that this Council do any way intermeddle with any Affairs, Criminal or Civil, which are to be decided by Law, and do belong to the Jurisdictions of other Courts or Magistrates; they being no established Judiciary, or Congregation, which either our Government or Laws do take notice of (as was said before) but Persons congregated by the King, as his Friends and faithful Subjects, to give him their Opinion in the Execution of his Regal Office. As for Example, the King does exercise, at this time, a Negative Voice as to Bills presented to him by the Parliament, which he claims by Right; no Man ever said that the Privy Council had a Negative Voice; yet former Kings did not only ask their Advice as to the passing or not passing of such Bills, but often decided the Matter by their Votes; which, although it be a high Presumption in them, when they venture to give him Counsel

contrary to what is given him by his greatest Council, yet never any of them have been questioned for it ; being looked upon as private Men, who speak according to the best of their Cunning, and such as have no publick Capacity at all. But if this be not so, and that this Council have some Foundation in Law, and some publick Capacity, I wish in this new Settlement it may be made otherwise, and that His Majesty please to take their Counsel in private ; but summon no Persons to appear before them ; much less give them Authority to send for in Custody, or Imprison any Subject, which may as well be done by the Judges and Magistrates ; who, if Secrecy be required, may as well be Sworn to Secrecy as these Gentlemen ; and I believe can keep Counsel as well, and give it too.

Noble Ven. But would you have none to manage State Affairs, none Imprisoned for secret Conspiracies, and kept till they can be fully discovered ? you have made an Act here lately about Imprisonments, that every Person shall have his *Habeas Corpus*, I think you call it : so that no Man, for what occasion soever, can lie in Prison above a Night, but the Cause must

must be revealed, though there be great cause for the concealing it.

Eng. Gent. This Act you mention, and a great many more which we have to the same purpose, that is, against Illegal Imprisonments, shews that for a long time the Power over Men's Purses has been exercised (under His Majesty) by such as were very likely, rather to employ it ill than well; (that is) would rather Imprison ten Men for Honourable Actions; such as standing for the People's Rights in Parliament, refusing to pay Illegal Taxes, and the like, than one for projecting and inventing Illegal Monopolies, or any other kind of oppressing the People. This made first *Magna Charta*, then the *Petition of Right*, and divers other Acts besides this last, take that Power quite away, and make the Law and the Judges the only Disposers of the Liberties of our Persons. And it may be, when the Parliament shall see the Fruit of this Alteration we are now discoursing of, and that State Affairs are in better hands, they may think fit to provide that a Return, or Warrant of Imprisonment from one of these Four Councils (which I suppose will have a Power of

Commitment given them, as to Persons appearing Delinquents before them) wherein it shall be expressed, That if the Publick is like to suffer or be defrauded, if the Matter be immediately divulged; I say in this Case, the Parliament may please to make it Lawful, for the Judge to delay the Bailing of him for some small time, because it is not to be judged, that these Counsellours so chosen, and so instructed, and to continue so small a time, will use this Power ill; especially being accountable for any abusing of it to the next Parliament. And I suppose the Parliament, amongst other Provisions in this behalf, will require that there shall be a Register kept of all the Votes of these several Councils, with the names as well of those who consented, as of such who dissented: And as to the former part of your Question, whether I would have none to manage State Affairs; I think there are very few State Affairs that do not concern either Peace and War and Treaties abroad, the management of the Arms, Militia, and *posse Comitatus* at home; the management of all the Publick Moneys, and the Election of all Officers whatsoever; the other parts of

of State Affairs, which are Making and Repealing of Laws, punishing high Crimes against the State, with Levying and Proportioning all manner of Impositions upon the People, this is reserved to the Parliament it self; and the Execution of all Laws to the Judges, and Magistrates; And I can think of no other Affairs of State than these.

Doct. Do you intend that the Council for chusing Officers shall Elect them of the King's Household, that is, his Menial Servants?

Eng. Gent. No, that were unreasonable, except any of them have any Jurisdiction in the Kingdom, or any place or preheminance in Parliament annexed to such Office, but in these things which concern the Powers and Jurisdictions of these several Councils (wherein, *la guardia della liberta*, as *Machiavil* calls it, is now to be placed) I shall not presume to say any thing, but assure your self, if ever it come to that, it will be very well digested in Parliament, they being very good at contriving such Matters, and making them practicable, as well as at performing all other Matters that concern the Interest and greatness of the Kingdom.

Doct. I have thought that the *Ephores* of *Sparta* were an admirable Magistracy, not only for the Interest of the People, but likewise for the preservation of the authority of the Kings, and of their lives too; for *Plutarch* observes that the Cities of *Mesene* and *Argos* had the same Government with *Lacedemon*, and yet for want of erecting such an Authority as was in the *Ephores*, they were not only perpetually in broils amongst themselves, and for that reason ever beaten by their Enemies, whereas the *Spartans* were always victorious, but even their Kings were the most miserable of Men, being often call'd in question Judicially, and so lost their Lives, and many of them murdered by Insurrections of the People: And at last in both these Cities, the Kings were driven out, their Families extirpated, and the Government turn'd into a *Democracy*. And I ever thought that this expedient you propose (for I have heard you discourse of it often before now) would prove a more safe, and a more noble reformation than the Institution of the *Ephores* was, and that a Prince who is a lover of his Country, who is Gracious,

cious, Wise and Just, (such a one as it has pleased God to send us at this time) shall be ten times more absolute when this Regulation is made, than ever he was or could be before, and that whatsoever he proposes in any of these Councils will be received as a Law, nay, as an Oracle: And on the other side, ill and weak Princes shall have no possibility of corrupting Men, or doing either themselves or their People any kind of harm or mischief: But have you done now?

Eng. Gent. No, Sir, when this Provision is made for the Execution of the Laws, (which I think very effectual, not to say Infallible) although it is not to be doubted, but that there will be from time to time many excellent Laws Enacted; yet two I would have passed immediately, the one concerning the whole Regulation of the Elections to Parliament, which we need very much, and no doubt but it will be well done; that part of it which is necessary to go hand in hand with our Settlement, and which indeed must be part of it, is, that a Parliament be Elected every year at a certain day, and that without any Writ or Summons, the People Meeting of course at the time appointed in the usual

usual place (as they do in Parishes at the Church-House to chuse Officers) and that the Sheriffs be there ready to preside and to certifie the Election. And that the Parliament so Chosen shall Meet at the time appointed, and Sit and Adjourn as their business is more or less urgent: But still Adjourn, setting yet a time for their coming together again, but if there shall be a necessity (by reason of Invasion or some other Cause) for their Assembling sooner; then the King to Call the Counsellors of these Four Counsels all together, and with the consent of the major part of them, intimate their Meeting sooner; but when the day comes for the Annual Meeting of Another Parliament, they must be understood to be Dissolved in Law, without any other Ceremony, and the new one to take their place.

Doct. I would have this considered too, and provided for, That no Election should be made of any person who had not the majority of the Electors present to Vote for him; so the Writ orders it, and so Reason dictates; for else, how can he be said to represent the County, if not a fifth part have consented to his choice, as happens some times, and may do oftener,
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for where seven or eight stand for one vacant place, as I have known in our last Long Parliament, where the Votes being set in Columns, he who has had most Votes, has not exceeded four hundred of above two thousand who were present.

Noble Ven. This is a strange way, I thought you had put every Man by himself, as we do in our Government, and as I understood they do in the House of Commons, when there is any nomination, and then, if he has not the major part, he is rejected.

Eng. Gent. This is very Material, and indeed Essential; but I make no doubt, but if this Project should come in play in Parliament, this and all other particulars (which would be both needless and tedious to discourse of here) will be well and effectually provided for. The next Act I would have passed, should be concerning the House of Peers, that as I take it for granted, that there will be a Clause in the Bill concerning Elections, that no new Boroughs shall be enabled to send Members to Parliament, except they shall be capacitated thereunto by an Act, so it being of the same necessity as to the Liberty of Parliament, that the Peers (who
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do and must enjoy both a Negative and Deliberative Voice in all Parliamentary Transactions, except what concerns Levying of Money Originally) be exempted from depending absolutely upon the Prince, and that therefore it be declared by Act, that for the future, that no Peer shall be made but by Act of Parliament, & then that it be Hereditary in his Male Line.

Noble Ven. I am not yet fully satisfied how you can order your Matters concerning this House of Peers, nor do I see how the Contest between the House of Commons and them, can be so laid asleep, but that they will arise again: Besides the House of Commons must necessarily be extremely concerned to find the House of Peers, which consists of private persons, though very great and honourable ones, in an Instant dash all that they have been so long hammering for the good of all the People of *England* whom they represent; were it not better now, you are upon so great alterations, to make an Annual Elective Senate, or at least one wherein the Members should be but for Life, and not Hereditary.

Eng. Gent. By no means, Sir, the less change the better, and in this Case the
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Metaphysical Maxime is more true than in any, viz, *Entia non sunt multiplicanda sine necessitate*; for great alterations fright Men, and puzzle them, and there is no need of it at all in this Case. I have told you before, that there is a necessity of a Senate, and how short this Government would be without it, and how confused in the mean time; the *Roman* Senate was Hereditary amongst the *Patricii*, except the Censor left any of them out of the Roll during his Magistracy, for some very great and scandalous offence; and in that Case too there was an Appeal to the People, as in all other Causes, witness the Case of *Lucius Quintus* and many others. To shew that there can be no need of such a change here as you speak of, you may please to consider, that all differences between the several parts of any Government come upon the account of Interest, now when this Settlement is made, the House of Peers, and the House of Commons, can have no Interest to dissent; For as to all things of private Interest, that is the Rights of Peers, both during the sitting of Parliaments, and in the Intervals, is left to their own House to judge of, as it is to the House of Commons

mons to judge of their own Priviledges; And as for the contest of the Peers Jurisdiction as to Appeal from Courts of Equity; Besides that I would have that settled in the Act which should pass concerning the Lords House; I believe it will never happen more, when the Government is upon a right Foundation; it having been hitherto fomented by two different Parties, the Court Party sometimes blowing up that difference to break the Session, lest some good Bills for the People should pass, or that the King by rejecting them, might discontent his People; to avoid which *Dilemma*, there needed no more, but to procure some person to prosecute his Appeal before the Lords; some honest Patriots afterwards possibly might use the same policy which they learnt from the Courtiers, to quash some Bill very destructive, in which they were out-voted in the Commons House; otherwise it is so far from the Interest of the Commons to hinder Appeals from Courts of Equity, that there is none amongst them, but know we are almost destroyed for want of it: And when they have considered well, and that some such Reformation as this shall take place; they will

will find that it can never be placed in a more honourable and unbyas'd Judicatory than this; And I could wish that even in the Intermiſſion of Parliamentary Seſſions, the whole Peerage of *England*, as many of them as can conveniently be in Town, may ſit in their Judicial Capacities, and hear Appeals in Equity, as well as Judge upon Writs of Errour. Now as to your other Objection (which is indeed of great weight) that the Houſe of Commons muſt needs take it ill, that the Lords ſhould frustrate their endeavours for the Peoples good by their Negative; But if you conſider one thing, the force of this Objection will vaniſh; which is, That when this new Conſtitution ſhall be admitted, the Lords cannot have any Intereſt or temptation to differ with the Commons, in any thing wherein the Publick good is concerned, but are obliged by all the ties in the World, to run the ſame courſe and fortune with the Commons, their Intereſt being exactly the ſame; ſo that if there be any diſſenting upon Bills between the two Houſes, when each of them ſhall think their own Expedient conduces moſt to the advantage of the Publick; this difference will
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ever be decided by right reason at Conferences; And the Lords may as well convince the Commons, as be convinced by them; and these Contests are and ever will be of admirable use and benefit to the Commonwealth, the reason why it is otherwise now, and that the House of Peers is made use of to hinder many Bills from passing, that are supposed to be for the ease of the People, is, that the great Counsellours and Officers which sit in that House, do suggest (whether true or false) that it is against his Majesties will and Interest that such an Act should pass, whereupon it has found Obstruction; but hereafter it cannot be so, first, because our King himself cannot have any designs going (as was proved before) which shall make it his advantage to hinder any good intended his People, whose prosperity then will be his own. And then because in a short time, the Peers being made by Act of Parliament, will consist of the best Men of *England* both for Parts and Estates, and those who are already made, if any of them have small Estates, the King if he had the Interest, would not have the means to corrupt them, the Publick Moneys, and the great
Offices

Offices being to be dispensed in another manner than formerly, so their Lordships will have no Motive in the World to steer their Votes and Councils, but their own Honour and Conscience, and the preservation and prosperity of their Country. So that it would be both needless and unjust to pretend any change of this kind. Besides, this alteration in the Administration of our Government being proposed to be done by the unanimous consent of King, Lords, and Commons, and not otherwise, it would be very preposterous to believe, that the Peers would depose themselves of their Hereditary Rights, and betake themselves to the hopes of being Elected; it is true, they have lost the Power they had over the Commons, but that has not been taken from them by any Law, no more than it was given them by any; but is fallen by the course of Nature, as has been shewn at large; But though they cannot lead the Commons by their Tenures, as formerly, yet there is no reason or colour that they should lose their Co-ordination, which I am sure they have by Law, and by the Fundamental Constitution of the Government,

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ment ; and which is so far from being prejudicial to a lasting Settlement (as was said) that it infinitely contributes to it, and prevents the Confusion which would destroy it. If I should have proposed any thing in this Discourse which should have Intrenched upon the King's Hereditary Right, or that should have hindred the Majesty and Greatness of these Kingdoms from being represented by his Royal Person, I should have made your Story of the *Capucine* Fryar very Applicable to me.

Noble Ven. I see you have not forgiven me that Novel yet ; but pray give me leave to ask you one Question : Why do you make the Election of Great Officers, to be by a small secret Council, that had been more proper for a Numerous Assembly ; as it is in most Common-Wealths?

Eng. Gent. It is so in Democracies, and was so in *Sparta*, and is done by your Great Council in *Venice* ; but we are not making such a kind of Government, but rectifying an ancient Monarchy, and giving the Prince some help in the Administration of that great Branch of his Regality ;

Regality ; besides, it is sufficient, that our Parliament chuses these Councils, (that is always understood the Lords and Commons, with the Kings Consent;) besides, it is possible, that if such a Regulation as this come in Debate amongst them, the Parliament will reserve to it self the Approbation of the Great Officers, as Chancellor, Judges, General Officers of an Army, and the like ; and that such shall not have a settlement in those Charges, till they are accordingly allowed of ; but may in the mean time exercise them. As to particulars, I shall always refer you to what the Parliament will judge fit to Order in the Case ; but if you have any thing to Object, or to shew in general, that some such Regulation as this cannot be effectual towards the putting our Distracted Country into better Order ; I shall think my self oblig'd to Answer you, if you can have Patience to hear me, and are not weary already ; as you may very well be.

Noble Ven. I shall certainly never be weary of such Discourse ; however I shall give you no further trouble in this matter ; for I am very fully satisfied,

that such Reformation, if it could be compassed, would not only Unite all Parties, but make you very Flourishing at home, and very Great abroad: but have you any hopes that such a thing will ever come into Debate? what do the Parliament men say to it?

Eng. Gent. I never had any Discourse to this purpose, either with any Lord, or Member of the Commons-house, otherwise than as possibly some of these Notions might fall in at Ordinary Conversation: For I do not intend to Intrench upon the Office of God, to teach our Senatours Wisdom. I have known some men so full of their own Notions, that they went up and down sputtering them in every Mans Face they met; some went to Great Men during our late troubles; nay, to the King himself, to offer their Expedients from Revelation. Two Men I was acquainted with, of which one had an Invention to reconcile differences in Religion; the other had a project for a Bank of Lands to lye as a Security for summs of Money lent; both these were Persons of Great Parts and Fancy; but yet so troublesome at all Times,

Times, and in all Companies, that I have often been forced to repeat an Excellent Proverb of your Country : God deliver me from a man that has but one business ; and I assure you there is no Mans Reputation that I envy less, than I do that of such Persons ; and therefore you may please to believe that I have not imitated them in scattering these Notions, nor can I Prophecie whether any such Apprehensions as these will ever come into the Heads of those men who are our true Physicians. But yet to answer your Question, and give you my Conjecture ; I believe that we are not Ripe yet for any great Reform ; not only because we are a very Debauch'd People ; I do not only mean that we are given to Whoreing, Drinking, Gaming and Idleness ; but chiefly that we have a Politique Debauch, which is a neglect of all things that concern the publick wellfare, and a setting up our own private Interest against it ; I say, this is not all, for then the Polity of no Country could be Redrest : For every Common-Wealth that is out of order, has ever all these Debauches we speak of, as

Consequences of their loose State. But there are two other Considerations which induce me to fear that our Cure is not yet near. The first is, because most of the Wise and Grave Men of this Kingdom are very silent, and will not open their Budget upon any terms : and although they dislike the present Condition we are in as much as any Men, and see the Precipice it leads us to, yet will never open their Mouths to prescribe a Cure ; but being asked what they would advise, give a shrug like your Country-men. There was a very considerable Gentleman as most in *England*, both for Birth, Parts and Estate, who being a Member of the Parliament that was called, 1640. continued all the War with them ; and by his Wisdom and Eloquence (which were both very great) promoted very much their Affairs. When the Factions began between the Presbyters and Independants, he joyned Cordially with the latter, so far as to give his Affirmative to the Vote of No Addresses ; that is, to an Order made in the House of Commons, to send no more Messages to the King, nor
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to receive any from him. Afterwards, when an Assault was made upon the House by the Army, and divers of the Members taken violently away, and Secluded; he disliking it (though he were none of them) voluntarily abtighted himself, and continued retired; being exceedingly averse to a Democratical Government, which was then declared for, till *Cromwell's* Usurpation; and being infinitely courted by him, absolutely refused to accept of any Employment under him, or to give him the least Counsel. When *Cromwell* was dead, and a Parliament called by his Son, or rather by the Army, the chief Officers of which did, from the beginning, whisper into the Ears of the Leading Members, that if they could make an honest Government, they should be stood by (as the Word then was) by the Army. This Gentleman, at that time, neither would be Elected into that Parliament, nor give the least Advice to any other Person that was; but kept himself still upon the Reserve. Insomuch that it was generally believed, that although he had ever been opposite to the late King's coming to the

Government again, though upon Propositions; yet he might hanker after the Restoration of His Majesty that now is. But that Apprehension appeared Groundless when it came to the pinch: for being consulted as an Oracle by the then General *Monk*, whether he should restore the Monarchy again or no, would make no Answer, nor give him the least Advice; and, *de facto*, hath ever since kept himself from Publick Business; although, upon the Banishment of my Lord of *Clarendon*, he was visited by one of the Greatest Persons in *England*, and one in as much Esteem with His Majesty as any whatsoever, and desired to accept of some great Employment near the King; which he absolutely refusing, the same Person, not a Stranger to him, but well known by him, begged of him to give his Advice how His Majesty (who desired nothing more than to unite all his People together, and repair the Breaches which the Civil War had caused, now my Lord *Clarendon* was gone, who by his Counsels kept those Wounds open) might perform that Honourable and Gracious Work: but still this Gentleman
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made his Excuses: And, in short, neither then; nor at any time before or after (excepting when he sat in the Long Parliament of the Year 40.) neither during the distracted Times, nor since His Majesty's Return, when they seemed more reposed, would ever be brought, either by any private intimate Friend, or by any Person in Publick Employment, to give the least Judgment of our Affairs, or the least Counsel to mend them, though he was not shy of declaring his dislike of Matters as they went. And yet this Gentleman was not only by repute, and esteem a wise Man, but was really so, as it appeared by his management of business, and drawing Declarations, when he was contented to act; as also by his exceeding prudent managing of his own Fortune, which was very great, and his honourable Living and providing for his Family; his Daughters having been all Married to the best Men in *England*; and I dare assure you, there are above an hundred such Men in *England*, though not altogether of that eminency.

Noble

Noble Ven. Methinks these persons are altogether as bad an extream as the loquacious men you spoke of before. I remember when I went to School, our Master, amongst other Common places in the commendation of silence, would tell us of a Latine saying, That a Fool whilst he held his peace did not differ from a Wise man; but truly I think we may as truly say, That a wise man whilst he is silent does not differ from a Fool; for how great soever his Wisdom is, it can neither get him credit, nor otherwise advantage himself, his Friend, nor his Country. But let me not divert you from your other point.

Eng. Gent. The next Reason I have to make me fear that such an Expedient as we have been talking of, will not be proposed suddenly, is the great distrust the Parliament has of men, which will make most Members shy of venturing at such matters, which being very new, at the first motion are not perfectly understood, at least to such as have not been versed in Authors who have written of the Politicks; and therefore the Mover may be suspected of having been set on
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by the Court Party to puzzle them, and so to divert, by offering new Expedients, some smart mettlesome Debates they may be upon concerning the Succession to the Crown, or other high matters: For it is the nature of all Popular Counsels (even the wisest that ever were, witness the People of *Rome* and *Athens*, which *Machiavil* so much extols) in turbulent times, to like discourses that heighten their Passions, and blow up their Indignation, better than them that endeavour to rectifie their Judgments, and tend to provide for their safety. And the truth is, our Parliament is very much to be excused, or rather justified in this distrust they have of Persons, since there hath been of late so many and so successful attempts used by the late great Ministers, to debauch the most eminent Members of the Commons-House, by Penfions and Offices; and therefore it would wonderfully conduce to the good of the Common-wealth, and to the composing our disordered State, if there were men of so high and unquestionable a Reputation, that they were above all suspicion and distrust, and so might venture upon

Lord

bold, that is (in this case) moderate Counsels, for the saving of their Country. Such men there were in the Parliament of 1640. at least twenty or thirty, who having stood their ground in seven Parliaments, before which in the two last Kings Reigns had been dissolved abruptly and in wrath, and having resisted the fear of Imprisonment and great Fines, for their love to *England*, as well as the temptation of Money and Offices to betray it, both inferred by the wicked Counsellours of that Age, tending both to the ruine of our just Rights, and the detriment of their Masters Affairs; I say, having constantly, and with great magnanimity and honour made proof of their Integrity, they had acquired so great a Reputation, that not only the Parliament, but even almost the whole People stuck to them, and were swayed by them in Actions of a much higher nature than any are now discoursed of, without fear of being deserted, or as we say, left in the lurch, as the People of *France* often are by their Grandees, when they raise little Civil Wars to get great Places, which as soon as they are offered, they

they lay down Arms, and leave their Followers to be hang'd ; but altho these two reasons of the silence of some wise men, and the want of reputation in other, does give us but a sad prospect of our Land of Promise, yet we have one Consideration, which does encourage us to hope better things ere long. And that is the Infalible Certainty that we cannot long Continue as we are, and that we can never Meliorate, but by some such Principles, as we have been here all this while discoursing of, and that without such helps and succours as may be drawn from thence, we must go from one distraction to another, till we come into a Civil War, and in the close of it be certainly a prey to the King of *France*, who, (on which side it matters not) will be a Gamester, and sweep Stakes at last ; the World not being now equally ballanced between two Princes alike powerful, as it was during our last Civil War ; and if as well this danger, as the only means to prevent it, be understood in time, (as no doubt it will) we shall be the happiest and the greatest Nation in the World in a little time ; and in the mean time, enjoy the best

best and most just easie Government of any People upon Earth. If you ask me whether I could have offer'd any thing that I thought better than this, I will answer you as *Solon* did a Philosopher, who askt him whether he could not have made a better Government for *Athens*? Yes, but that his was the best, that the People would or could receive. And now I believe you will bear me witness, that I have not treated you as a Wise man would have done in silence, but it is time to put an end to this tittle tattle which has nauseated you for three days together.

Noble Ven. I hope you think better of our Judgments than so; but I believe you may very well be weary.

Doct. I am sure the Parish Priests are often thanked for their pains, when they have neither taken half so much as you have, nor profited their Auditory the hundredth part so much.

Eng. Gent. The answer to Thank you for your pains, is always, Thank you, Sir, for your patience; and so I do very humbly both of you.

Noble

Noble Ven. Pray, Sir, when do you leave the Town ?

Eng. Gent. Not till you leave the Kingdom, I intend to see you, if please God, aboard the Yacht at *Gravesend*.

Noble Ven. I should be ashamed to put you to that trouble.

Eng. Gent. I should be much more troubled if I should not do it ; in the mean time I take my leave of you for this time, and hope to wait on you again to morrow. What, *Doctor*, you stay to Consult about the Convalescence ? Adieu to you both.

Doct. Farewell, Sir.

Nullum numen abest si sit prudentia

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